

## ABBREVIATIONS

ARO, AROs	Assistant Returning Officer, Assistant Returning Officers
Cap	Chapter of the Laws of Hong Kong
CE	Chief Executive
CEEO	Chief Executive Election Ordinance (Cap 569)
CEO	Chief Electoral Officer
CIV, CIVs	Composite Indigenous Village, Composite Indigenous Villages
CSD	Correctional Services Department
CCS	Commissioner of Correctional Services
DC, DCs	District Council, District Councils
DCO	District Councils Ordinance (Cap 547)
DHA	Director of Home Affairs
ECICO	Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554)
election	ordinary election or by-election as appropriate
EAC	Electoral Affairs Commission
EACO	Electoral Affairs Commission Ordinance (Cap 541)
EAC (ROE) (VRE) Reg	Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation
EP (VRE) Reg	Electoral Procedure (Village Representative Election) Regulation

ERO	Electoral Registration Officer
EV, EVs	Existing Village, Existing Villages
FR	final register
HAD	Home Affairs Department
ICAC	Independent Commission Against Corruption
IIR, IIRs	Indigenous Inhabitant Representative, Indigenous Inhabitant Representatives
IV, IVs	Indigenous Village, Indigenous Villages
LCO	Legislative Council Ordinance (Cap 542)
LegCo	Legislative Council
NCZ, NCZs	no canvassing zone, no canvassing zones
NSZ	no staying zone
para., paras.	paragraph, paragraphs
PR	provisional register
printing details	name and address of printer, date of printing and number of copies printed
PRO	Presiding Officer
registration deadline	deadline for registration of electors for inclusion in the final register to be specified under the EAC (ROE) (VRE) Reg.
RR	Resident Representative, Resident Representatives
REO	Registration and Electoral Office
RO, ROs	Returning Officer, Returning Officers
S, s, Ss, ss	Section, sections
SHA	Secretary for Home Affairs

Village	an Existing Village, an Indigenous Village or a Composite Indigenous Village
VR, VRs	Village Representative, Village Representatives
VRE Ord	Village Representative Election Ordinance (Cap 576)

# CONTENTS

	<u>Page</u>
<b>PROLOGUE</b>	<b>1</b>
<b>CHAPTER 1 GENERAL INFORMATION</b>	<b>3</b>
PART I : GENERAL	3
PART II : TYPES AND NUMBERS OF VILLAGES AND VILLAGE REPRESENTATIVES	4
PART III : ELIGIBILITY TO VOTE	6
PART IV : WHEN THE VILLAGE REPRESENTATIVE ELECTION WILL BE HELD	11
PART V : VOTING SYSTEM	11
PART VI : NOMINATION OF CANDIDATES	13
PART VII : ELECTION CAMPAIGNING	14
PART VIII : THE POLL	15
PART IX : SORTING OF BALLOT PAPERS	25.1
PART X : THE COUNT	25.3
PART XI : DISPOSAL OF DOCUMENTS	25.7
<b>CHAPTER 2 NOMINATION OF CANDIDATES</b>	<b>26</b>
PART I : QUALIFICATION AND DISQUALIFICATION FOR NOMINATION	26
PART II : WHEN AND HOW TO NOMINATE	28
PART III : VALIDITY OF NOMINATION PAPERS	30
PART IV : WITHDRAWAL FROM CANDIDATURE	31
PART V : NOTICE OF NOMINATION	31
PART VI : INTRODUCTORY LEAFLET AND PHOTOGRAPHS	32
<b>CHAPTER 3 APPOINTMENT AND ROLES OF ELECTION AGENT, ELECTION EXPENSE AGENTS, POLLING AGENTS AND COUNTING AGENTS</b>	<b>33</b>
PART I : GENERAL	33
PART II : THE ELECTION AGENT	34

PART III	:	ELECTION EXPENSE AGENTS	37
PART IV	:	POLLING AGENTS	39
PART V	:	COUNTING AGENTS	46
<b>CHAPTER 4</b>		<b>ELECTION ADVERTISEMENTS</b>	<b>48</b>
PART I	:	GENERAL	48
PART II	:	PERIOD AND AREA OF DISPLAY	51
PART III	:	ALLOCATION OF DESIGNATED SPOTS	54
PART IV	:	CONDITIONS AND LIMITATIONS ON DISPLAY	56
PART V	:	SERIAL NUMBERING, DECLARATIONS AND COPIES	58
PART VI	:	REQUIREMENTS RELATING TO PRINTED ELECTION ADVERTISEMENTS	62
PART VII	:	NON-COMPLIANCE AND CONSEQUENCES	62
PART VIII	:	ADVERTISEMENTS OF POLITICAL, PROFESSIONAL/TRADE BODIES OR OTHER ORGANISATIONS	64
PART IX	:	POSTING ELECTION ADVERTISEMENTS	65
PART X	:	ELECTION ADVERTISEMENTS FOR REGISTERED ELECTORS IN THE CUSTODY OF CSD AND OTHER LAW ENFORCEMENT AGENCIES	65
<b>CHAPTER 5</b>		<b>ELECTION MEETINGS</b>	<b>66</b>
PART I	:	GENERAL	66
PART II	:	ELECTION MEETINGS IN PUBLIC PLACES	67
PART III	:	ELECTION MEETINGS IN PRIVATE PREMISES	71
PART IV	:	MOBILE EXHIBITIONS	71
PART V	:	FUND-RAISING ACTIVITIES AT ELECTION MEETINGS	72
<b>CHAPTER 6</b>		<b>ELECTION BROADCASTING, MEDIA REPORTING AND ELECTION FORUMS</b>	<b>73</b>
PART I	:	GENERAL	73
PART II	:	ELECTIONEERING ON TV AND RADIO	73
PART III	:	ADVERTISING THROUGH THE PRINT MEDIA	75
PART IV	:	ELECTION FORUMS	76

PART V	:	SANCTION	77
<b>CHAPTER 7</b>		<b>USE OF SOUND AMPLIFYING DEVICE AND VEHICLES</b>	<b>78</b>
PART I	:	GENERAL	78
PART II	:	USE OF LOUDSPEAKERS AND VEHICLES	78
<b>CHAPTER 8</b>		<b>ELECTIONEERING AT THE LIVING OR WORKING PLACES OF ELECTORS, PREMISES OF ORGANISATIONS TO WHICH ELECTORS BELONG AND BUILDINGS WHICH ELECTORS FREQUENT</b>	<b>81</b>
PART I	:	GENERAL	81
PART IA	:	RIGHTS OF TENANTS AND OWNERS	82
PART II	:	GUIDELINES TO BE OBSERVED BY CANDIDATES IN THE CONDUCT OF ELECTIONEERING ACTIVITIES	83
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	86
PART IV	:	CONDUCT OF ELECTIONEERING ACTIVITIES IN PREMISES UNDER THE MANAGEMENT OF HOUSING DEPARTMENT AND HONG KONG HOUSING SOCIETY	90
PART V	:	SANCTION	91
<b>CHAPTER 9</b>		<b>ELECTIONEERING ACTIVITIES CONDUCTED IN SCHOOLS OR PARTICIPATED BY SCHOOL STUDENTS</b>	<b>92</b>
PART I	:	GENERAL	92
PART II	:	SCHOOL PUPILS	92
PART III	:	ELECTIONEERING ACTIVITIES IN SCHOOLS	93
PART IV	:	SANCTION	94

<b>CHAPTER 10</b>	<b>PROHIBITION AGAINST CANVASSING ACTIVITIES OUTSIDE POLLING STATIONS</b>	<b>95</b>
PART I	: GENERAL	95
PART II	: DECLARATION OF A NCZ AND NSZ	95
PART III	: CONDUCT INSIDE THE NCZ AND NSZ	96
PART IV	: PENALTY	98
<b>CHAPTER 11</b>	<b>EXIT POLL</b>	<b>99</b>
PART I	: GENERAL	99
PART II	: CONDUCT OF EXIT POLLS	99
PART III	: SECRECY OF THE VOTE	100
PART IV	: IDENTIFICATION OF INTERVIEWERS	101
PART V	: SANCTION	101
<b>CHAPTER 12</b>	<b>ELECTION EXPENSES AND DONATIONS</b>	<b>102</b>
PART I	: WHAT CONSTITUTES ELECTION EXPENSES	102
PART II	: WHO MAY INCUR ELECTION EXPENSES AND THEIR LIMIT	104
PART III	: DONATIONS	105
PART IV	: RETURN AND DECLARATION OF ELECTION EXPENSES AND DONATIONS	107
PART V	: ADVANCE RETURN OF DONATIONS	108
PART VI	: ENFORCEMENT AND PENALTY	109
<b>CHAPTER 13</b>	<b>CORRUPT AND ILLEGAL CONDUCT</b>	<b>111</b>
PART I	: GENERAL	111
PART II	: CORRUPT CONDUCT RELATING TO NOMINATION AND WITHDRAWAL OF CANDIDATES	112
PART III	: ILLEGAL CONDUCT RELATING TO ELECTIONEERING	113
PART IV	: CORRUPT CONDUCT RELATING TO ELECTIONEERING AND VOTING	115

PART V	:	CORRUPT AND ILLEGAL CONDUCT RELATING TO ELECTION EXPENSES AND DONATIONS	116
PART VI	:	POWER OF COURT TO EXCUSE INNOCENT ACTS	116
PART VII	:	NON-COMPLIANCE WITH THE LAW AND SANCTION	117
<b>CHAPTER 14</b>		<b>NAMEDROPPING</b>	<b>119</b>
<b>CHAPTER 15</b>		<b>ATTENDANCE OF PUBLIC FUNCTIONS BY BOTH GOVERNMENT OFFICIALS AND CANDIDATES</b>	<b>123</b>
PART I	:	GENERAL	123
PART II	:	ATTENDANCE OF PUBLIC FUNCTIONS BY GOVERNMENT OFFICIALS	123
PART III	:	ATTENDANCE OF PUBLIC FUNCTIONS BY CANDIDATES	124
<b>CHAPTER 16</b>		<b>ELECTION PETITIONS</b>	<b>125</b>
<b>CHAPTER 17</b>		<b>COMPLAINTS PROCEDURE</b>	<b>126</b>
PART I	:	GENERAL	126
PART II	:	TO WHOM A COMPLAINT MAY BE MADE	126
PART III	:	TIME AND PROCEDURE FOR MAKING COMPLAINTS	127
PART IV	:	COMPLAINTS INSIDE A POLLING STATION	127
PART V	:	THE PROCESSING OF COMPLAINTS	128
PART VI	:	EAC'S REPORT ON COMPLAINTS	129
PART VII	:	OBLIGATIONS OF THE DHA, ROS, PROS AND REO	129
PART VIII	:	SANCTION FOR FALSE COMPLAINT	130



<b>APPENDICES</b>		<b><u>PAGE</u></b>
APPENDIX A :	ACTION CHECKLIST FOR CANDIDATES	131
APPENDIX B :	A LIST OF EXISTING VILLAGES, INDIGENOUS VILLAGES AND COMPOSITE INDIGENOUS VILLAGES	139
APPENDIX BI :	SAFE CONDUCT OF ELECTION-RELATED ACTIVITIES	194
APPENDIX BII :	CONDUCT OF ELECTIONEERING ACTIVITIES AND ELECTION MEETINGS IN PREMISES UNDER THE MANAGEMENT OF THE HOUSING DEPARTMENT AND THE HONG KONG HOUSING SOCIETY	196
APPENDIX C :	ADMINISTRATIVE GUIDELINES AND LICENSING CONDITIONS FOR THE ISSUE OF PUBLIC FUND-RAISING PERMITS FOR NON-CHARITABLE PURPOSES – APPLICATION FORM FOR A PERMIT	197
APPENDIX D :	FAIR AND EQUAL TREATMENT OF CANDIDATES BY THE PRINT MEDIA	206
APPENDIX E :	APPLICATION PROCEDURE FOR THE APPROVAL OF FLOAT DESIGN	207
APPENDIX F :	CANVASSING ACTIVITIES WHICH ARE FORBIDDEN WITHIN A NO CANVASSING ZONE	209
APPENDIX FI :	PERSONAL DATA PRIVACY: GUIDANCE ON ELECTIONEERING ACTIVITIES	211
APPENDIX G :	ITEMS OF EXPENSES WHICH MAY BE COUNTED TOWARDS ELECTION EXPENSES	213
APPENDIX H :	SUPPORT CLEAN ELECTIONS : A HANDBOOK BY THE ICAC	216
APPENDIX I :	FORM OF CONSENT OF SUPPORT	237
APPENDIX J :	GUIDELINES FOR MUTUAL AID COMMITTEES	240

APPENDIX K :	GUIDELINES FOR CANDIDATES ON SENDING ELECTION ADVERTISEMENTS TO ELECTORS IN THE CUSTODY OF THE CORRECTIONAL SERVICES DEPARTMENT	241
<b>INDEX</b>		<b>243</b>

# PROLOGUE

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## THE GUIDELINES

1 According to s 6 of the Electoral Affairs Commission Ordinance (“EACO”), the Electoral Affairs Commission (“EAC”) may, in connection with an election, issue guidelines relating to:

- (a) the conduct or supervision of or procedure at an election;
- (b) the activities of a candidate, an agent of a candidate or any other person assisting a candidate, or any other person;
- (c) the election expenses;
- (d) the display or use of election advertisements or other publicity material; and
- (e) the procedure for making a complaint.

2 The aim of such guidelines is to provide a code of conduct based on the principle of fairness and equality for conducting election-related activities and some directions in layman’s language on how to comply with the relevant electoral legislation so that candidates can avoid breaching them due to inadvertence. Guidelines are issued for reference by the public to ensure that all public elections are conducted in an open, honest and fair manner.

3 This set of Guidelines applies to the Village Representative (“VR”) ordinary election and by-election. It explains what electoral arrangements are made for the VR election, what legislative provisions and regulations as well as guidelines should be observed by parties concerned before, during and after an election and how an election-related complaint could be lodged. An action checklist for candidates can be found in **Appendix A**.

4 In the context of this set of Guidelines, the term “election” means ordinary election and by-election, as appropriate.

## SANCTION

5 Members of the public, in particular, electors, candidates and their agents as well as government officials engaged in election-related duties should read, familiarise themselves with, and strictly observe, these Guidelines.

6           The EAC is committed to ensuring that all elections are conducted openly, honestly and fairly. If it comes to know that any candidate or person is in breach of the Guidelines, apart from notifying the relevant authorities for actions to be taken, it may make a reprimand or censure in a public statement which may include the name of the candidate or person concerned and other relevant parties, if any. The reprimand or censure is separate from and additional to the criminal liability for any offences committed.

# CHAPTER 1

## GENERAL INFORMATION

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Part I	: General
Part II	: Types and Numbers of Villages and Village Representatives
Part III	: Eligibility to Vote
Part IV	: When the Village Representative Election will be Held
Part V	: Voting System
Part VI	: Nomination of Candidates
Part VII	: Election Campaigning
Part VIII	: The Poll
Part IX	: Sorting of Ballot Papers
Part X	: The Count
Part XI	: Disposal of Documents

### **PART I : GENERAL**

1.1 This chapter briefly describes the electoral procedure for the general information of the public and, in particular, electors as well as candidates and their agents. Readers are advised to consult the relevant chapters on specific areas for details. References in this chapter to:

- (a) the VRE Ord mean the Village Representative Election Ordinance (Cap 576);
- (b) the EAC (ROE) (VRE) Reg mean the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation (Cap 541, sub leg); and
- (c) the EP (VRE) Reg mean the Electoral Procedure (Village Representative Election) Regulation (Cap 541, sub leg).

1.2 Electoral procedures relating to the VR election are covered by the EP (VRE) Reg, which has been made by the EAC after taking into account representations on the proposed guidelines made by the public to the EAC. *[Amended in September 2005]*

## **PART II : TYPES AND NUMBERS OF VILLAGES AND VILLAGE REPRESENTATIVES**

- 1.3 There are altogether three types of villages:
- (a) **Existing Village (“EV”)**. EVs are identified in Schedule 1 to the VRE Ord and their boundaries are shown in the maps corresponding to their names in that Schedule; there are 695 of them; they are different from Indigenous Villages which are not identified by boundaries (see below). Out of these 695 EVs, 106 are not Indigenous Villages or Composite Indigenous Villages.
  - (b) **Indigenous Village (“IV”)**. IVs are identified in Schedule 2 to the VRE Ord; they are not identified by their boundaries; there are 588 of them. Out of these 588 IVs, 574 are EVs but 14 are not EVs as they cannot be identified by boundary maps.
  - (c) **Composite Indigenous Village (“CIV”)**. CIVs are identified in Schedule 3 to the VRE Ord; there are 15 of them. These are also EVs. They are called CIVs because each is composed of more than one village. The 15 CIVs are composed of altogether 32 IVs.

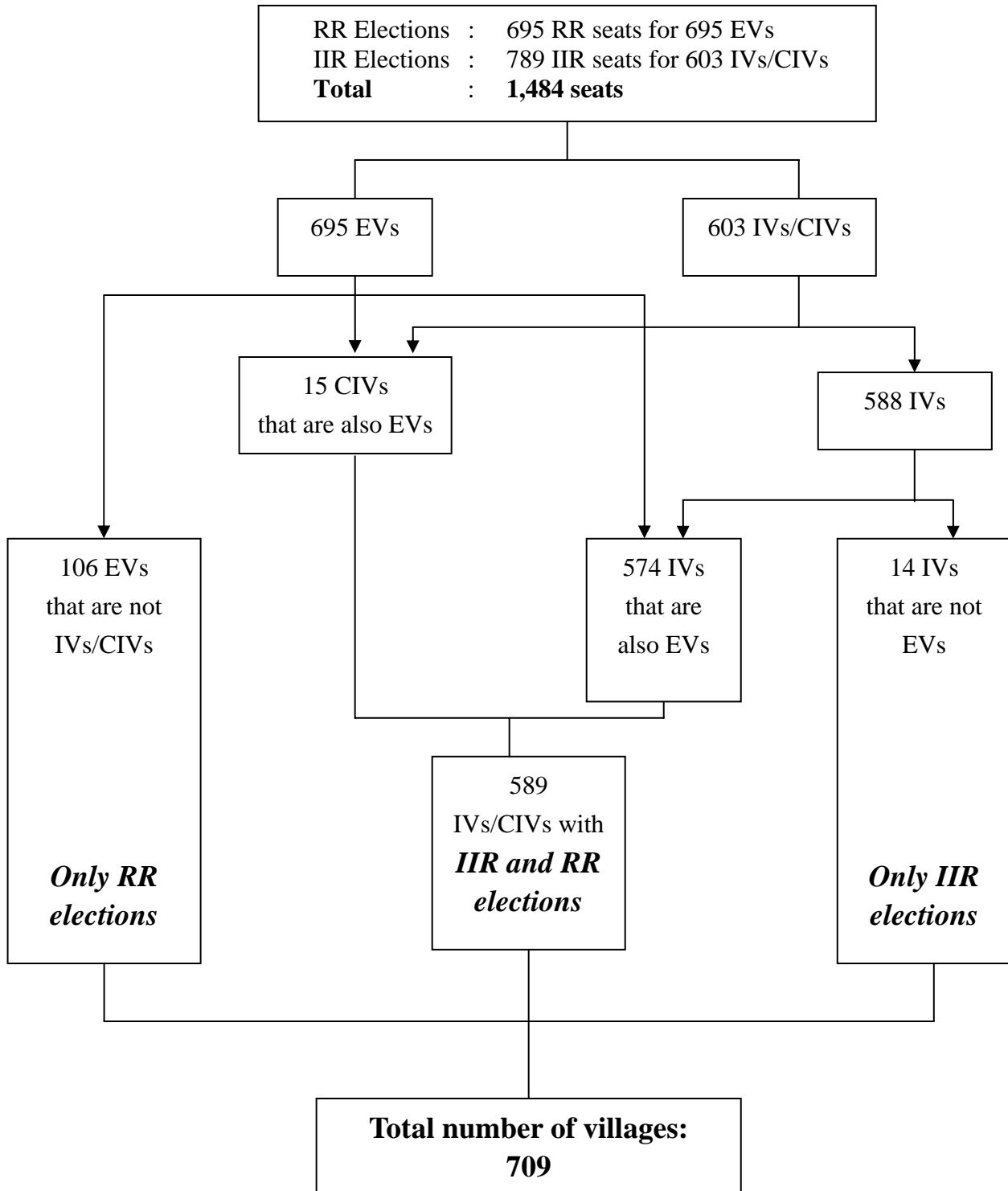
1.4 Altogether, there are 709 villages comprising 106 EVs that are not IVs/CIVs, 589 EVs that are IVs/CIVs, and 14 IVs that are not EVs. There will be a total of 1,484 VR seats (695 Resident Representative (“RR”) seats and 789 Indigenous Inhabitant Representative (“IIR”) seats.)

1.5 Following the historical and traditional way of electing village representative(s) in an IV or CIV, most elect one IIR but a number of IVs elect more than one IIR, up to five IIRs for an IV. On the other hand, only one RR is to be returned for each EV.

1.6 According to the VRE Ord, each indigenous inhabitant is entitled to elect the IIR of his IV or CIV. The maximum number of votes that he is entitled to cast is equal to the number of IIRs to be returned for his village. If he also satisfies the residential requirement of an RR elector in an EV, he is also entitled to elect an RR; in such a case he can vote in two elections. A resident of a village who is not an indigenous inhabitant but satisfies the residential requirement of an RR elector is entitled to elect an RR, but he has no right to elect the IIR. The following diagram shows the numbers and types of villages and VRs as defined in the VRE Ord.

**EXISTING VILLAGES (EVs), INDIGENOUS VILLAGES (IVs) AND  
COMPOSITE INDIGENOUS VILLAGES (CIVs)**

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*This chart is prepared for illustrative purposes only. For definition of the terms, please refer to the VRE Ord (Cap 576). A list of EVs, IVs and CIVs is at **Appendix B**. [Amended in October 2006 and December 2009]*

## **PART III : ELIGIBILITY TO VOTE**

### **Eligibility to Vote**

1.7 For the VR election, only a registered elector is eligible to vote. A registered elector is a person whose name appears on the existing final register (“FR”) that is in effect for the Village as compiled and published by the Electoral Registration Officer (“ERO”) appointed by the Secretary for Home Affairs (“SHA”) under the VRE Ord. An elector may only vote in respect of the Village for which he is registered. [S 13(1) of the VRE Ord.]

### **Qualification for Registration as an Elector [s 15 of the VRE Ord]**

1.8 To qualify for registration as an elector for a Village under the VRE Ord, an individual has to satisfy all the following requirements:

- (a) he is already registered as an elector for the Village in the existing FR for the Village that is in effect; or
- (b) he applies in accordance with the VRE Ord or the EAC (ROE) (VRE) Reg to be registered as an elector for the Village and is entitled to be so registered.

1.9 A resident of the Village is eligible to be registered as an elector for an EV if he is :

- (a) a resident of the Village for the 3 years immediately before applying to be registered or for the 3 years immediately before serving a sentence of imprisonment if he is an imprisoned person and he still maintains his principal residential address in the Village;
- (b) aged 18 years or above at the time of the publication of the FR; and
- (c) a Hong Kong permanent resident.

1.10 A person is eligible to be registered as an elector for an IV or a CIV if he:

- (a) is an indigenous inhabitant of the Village, or a spouse of an indigenous inhabitant of the Village;
- (b) is aged 18 years or above at the time of the publication of the FR;
- (c) at the time of applying to be registered, satisfies the ERO that he :
  - (i) holds an identity document; or
  - (ii) has:



- (A) applied for a new identity card; or
  - (B) requested the alteration of the identity card or the issue of a new identity card, in replacement of the identity card previously issued to him; and
- (d) at the time of applying to be registered :
- (i) if the identity document held by, or previously issued to, him is an identity card, informs the ERO of the identifying number of the identity card; or
  - (ii) if the identity document held by him is not an identity card, provides the ERO a copy of the identity document.

1.11 A person who would be eligible to be registered as an elector for two or more EVs may be registered for only one of those Villages of that person's choice.

1.12 A person who would be eligible to be registered as an elector for two or more IVs (including CIVs) may be registered for only one of those Villages of that person's choice.

1.13 A person may register as an elector for both an IV (or a CIV) and an EV, if he is so eligible.

1.14 A person is not, by virtue of being registered as an elector in the existing FR for an EV that is in effect, entitled to have the person's name included as an elector for the Village in any subsequent provisional register ("PR") for the Village if the ERO is satisfied on reasonable grounds that the person has not been a resident of the Village for the 3 years immediately before the compilation of the register. The ERO may omit the person's name from the FR for the Village.

**Disqualifications** [s 14 of the VRE Ord]

1.15 A person registered as an elector for a Village is disqualified from voting at an election for the Village if he:

- (a) has ceased to be eligible to be so registered;
- (b) is found under the Mental Health Ordinance (Cap 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
- (c) is a member of any armed forces.

*[Amended in December 2009]*

## **Application for Registration as Electors**

1.16 The registration of electors is undertaken in accordance with the provisions of the EAC (ROE) (VRE) Reg.

1.17 A person may send in his application for registration as an elector on the specified form to the Home Affairs Department (“HAD”) any time in the year. However, for inclusion of his name in the FR published under the VRE Ord, his application form must have been received by the HAD on or before the registration deadline to be specified under the EAC (ROE) (VRE) Reg.

1.18 The HAD will process the application forms after they have been received. The HAD will send written inquiries to applicants to seek information or proof if the information on their applications is incomplete or incorrect. An applicant who qualifies for registration will be allocated to the relevant Village. Applicants who are not qualified for registration will also be informed of the result, by registered mail. *[Amended in December 2009]*

1.19 The particulars of all eligible applicants for registration as electors for an IV or a CIV, including name and address (if known), will be entered in the register of electors for the IV or the CIV. The particulars of all eligible applicants for registration as electors for an EV, including name and address, will be entered in the register of electors for the EV.

## **Change of Residential Address and Other Personal Particulars**

1.20 It will not be necessary for a registered elector to re-apply for registration every year. However, if a registered elector has changed his residential address, he must notify the HAD of his new address to ensure that he, if still qualified, will be registered in the current register of electors. If he fails to do so, his name and particulars may be removed from the register. *[Amended in December 2009]*

1.21 If the elector for an EV has ceased to be residing in the Village concerned, has emigrated overseas and ceased to be a permanent resident of Hong Kong or ceased to be ordinarily resident in Hong Kong, his name may also be removed from the register of electors for the EV.

1.22 Apart from residential address, any registered elector who has changed his other personal particulars (eg name and telephone numbers) or has ceased to be a resident of the EV or ceased to be a permanent resident of Hong Kong or ceased to be ordinarily resided in Hong Kong, should also report to the HAD. An elector should notify any change of any of his particulars by sending to the HAD a letter or by sending in a new registration form with the altered particulars. An elector who has reported change of particulars will be sent a notice by the HAD showing his updated electoral record. *[Amended in December 2009]*

## **The PR and Omissions List**

1.23 The PR for each Village is published under the VRE Ord and is available for public inspection at the HAD and various other places, such as local District Offices, not later than 27 August in each year [s 17(1)(a) of the VRE Ord]. It includes:

- (a) the particulars of those electors whose names appear in the existing register, updated and corrected by the ERO based on reported or available information; and
- (b) the particulars of the eligible new applicants who have applied for registration on or before the registration deadline.

*[Amended in December 2009]*

1.24 When the PR for each Village is published, the ERO also publishes an omissions list, containing the names and particulars of persons who were formerly registered as electors, which were removed from the PR and proposed to be omitted from the next FR, based on the information received by the ERO who was satisfied on reasonable grounds that the concerned persons were no longer eligible to be registered or were disqualified.

1.25 Upon request by a person imprisoned or held in custody by a law enforcement agency, the ERO may make available, at a penal institution or the premises of a law enforcement agency as the case may be, a copy of the PR and omissions list for his inspection if the ERO considers it appropriate to do so. The ERO may require persons who want to inspect the PR and omissions list to produce an identity document and complete a form furnished by him. [Ss 19(3) and (4), 22(5) and (6) of the EAC (ROE) (VRE) Reg.] *[Added in December 2009]*

## **Appeals - Objections and Claims**

1.26 On or before the deadline for lodging objections and claims, members of the public may lodge in person with the ERO an objection as regards any entry in the PR. On or before the same date, a dissatisfied applicant or a person whose name has been included in an omissions list may lodge a claim in respect of the entry or any omission concerning himself. If the principal residential address of the claimant:

- (a) is in Hong Kong, he must deliver the notice of the claim to the ERO in person;
- (b) is not in Hong Kong, he may:

- (i) send the notice of claim to the ERO in person, by post or by fax;
- (ii) send the notice of claim to the ERO as an electronic record authenticated by a digital signature; or
- (iii) have the notice of claim delivered to the ERO by a person authorised in writing by the claimant.

To facilitate a person imprisoned or held in custody by a law enforcement agency to make such an objection or claim, he is allowed to deliver a notice of objection or claim to the ERO by post. Cases of objections and claims are referred to the Revising Officer for consideration. The Revising Officer makes ruling on each objection or claim and decides on the inclusion, exclusion or correction of the entry concerned in the relevant FR. [Ss 23(2A) and 25(3) and (3A) of the EAC (ROE) (VRE) Reg.] *[Amended in October 2006 and December 2009]*

### **The FR**

1.27 The FR for each Village will be published not later than 20 October in each year [s 17(1)(b) of the VRE Ord]. It includes the entries in the PR, the updated particulars of electors who have applied to alter their particulars before the registration deadline, and the particulars of those who were subject to a notice of objection or claim, updated and corrected to reflect the decisions of the Revising Officer as appropriate. The ERO has also taken the opportunity to delete those entries of electors who were known to be dead and to correct any mistakes in the PR. The FR remains valid until the publication of the FR in the following year. The FR in force is available for public inspection at the HAD and local District Offices. Upon request by a person imprisoned or held in custody by a law enforcement agency, the ERO may make available at a penal institution or the premises of a law enforcement agency as the case may be, a copy of the final register for his inspection if the ERO considers it appropriate to do so. The ERO may require persons who want to inspect the final register to produce an identity document and complete a form furnished by him. [S 30(5) and (6) of the EAC (ROE) (VRE) Reg.] *[Amended in December 2009]*

### **IMPORTANT:**

Information relating to a person contained in any register of electors or in any extract of any register of electors can only be used for a purpose related to an election. Use of or parting with any such information for any other purpose or any misuse is an **offence** punishable with a fine at level 2 and imprisonment for 6 months.

To further safeguard privacy of electors on the register, only the name and address of the elector will be entered in the register for the relevant village mentioned in para. 1.23 above for public inspection. The number of his identity card or identification document and his sex will not be subject to public inspection.

#### **PART IV : WHEN THE VILLAGE REPRESENTATIVE ELECTION WILL BE HELD**

##### **Village Ordinary Election**

1.28 A village ordinary election means an election to elect persons as VRs (ie RRs for EVs and IIRs for IVs or CIVs). The first village ordinary election was held in 2003. It has been conducted every four years since then. *[Amended in December 2009]*

##### **Village By-election**

1.29 A village by-election means an election, other than a village ordinary election, held to fill any vacancy in the office of a VR for the Village.

##### **Notice of Election**

1.30 For a village ordinary election, a notice of election will be published in the Gazette by the Returning Officer (“RO”) as soon as practicable after the publication in the Gazette of the date of election appointed by the SHA.

1.31 The notice of election will state the name of each of the Villages, the nomination period during which the nomination of candidates for election in the Village must be received by the RO and the date of polling.

1.32 The notice of a village by-election will be published by the Director of Home Affairs (“DHA”) and contains similar information referred to in para. 1.31 above.

#### **PART V : VOTING SYSTEM**

1.33 The voting system adopted for the VR election is the simple majority or relative majority system, commonly known as the “first past the post” system. A registered elector:

- (a) for an EV may vote for one candidate as the RR for that EV
- (b) for a CIV may vote for one candidate as the IIR for that CIV

- (c) for an IV may vote for as many candidates as the number of IIRs to be returned at the election for that IV, and no more

1.34 Where there is only one validly nominated candidate for an EV or a CIV, he will be declared elected. In the case of an IV, the number of IIRs to be returned may range from one to five. Where no more candidates have been validly nominated for election for the IV than the number of IIRs to be returned for that Village at the election, the validly nominated candidates will be declared elected. In such cases, polling in respect of the Village will not be necessary and electors of the Village concerned should not attend the relevant polling stations since they no longer need to vote. Where there are more validly nominated candidates than the number of candidates to be returned, a poll will be held. [S 31 of the VRE Ord.]

1.35 In determining the results of the elections, the RO should adopt the following principles:

- (a) In the case of a single vacancy, the candidate with the highest number of votes should be declared elected. In the event that more than one candidate has the equal highest number of votes, the RO shall determine the result by drawing lots. He shall declare the candidate on whom the lot falls as elected.
- (b) In the case of two or more vacancies, the candidates elected will be the candidate that obtains the highest number of votes followed by the candidate with the second highest number of votes, and so on, until all vacancies have been filled. In the event that there is/are still one or more vacancy/vacancies to fill and the remaining successful candidates have the same number of votes, the RO will have to draw lots to determine which one of these candidates should be elected to fill the last vacancy. He shall declare the candidate on whom the lot falls as elected.
- (c) When the drawing of lots has to be used to determine the result, ten table-tennis balls each marked with a number from 1 to 10 will be put into an empty opaque bag, to be provided by the RO. Each candidate is to draw one ball from the bag. The number marked on the ball should be noted by the RO and the ball should be put back into the bag. The other candidate(s) will draw in the same way. The candidate or candidates on whom the lot falls is or are to be returned at the election.
- Where there is only one vacancy to be filled and there are two candidates, the candidate who draws the larger number from 1 to 10 will be the winner.
  - Where there is only one vacancy to be filled and there are more than two candidates, if in the first draw, the numbers

drawn by the candidates are different, then the candidate who draws the largest number will win. If, on the other hand, two or more of the candidates have drawn the same larger number and the remaining candidate(s) has/have drawn a smaller number, there must be a second draw. As the system of voting for the election is “first past the post”, only those candidates who have drawn the same larger number in the first draw will participate in the second draw.

- Where there are three candidates having an equal number of votes and there are only two vacancies to be filled, if the three candidates have drawn respectively the largest, the larger and the smallest numbers, the two candidates who have drawn the largest and the larger numbers should be successful in getting the two vacancies, and the remaining candidate will fail. If the three candidates have drawn respectively two larger equal and one smaller numbers, then again the two candidates who have drawn the larger equal numbers will be the winners to fill the two vacancies. If the three candidates have drawn respectively a larger and two equal smaller numbers, the candidate who has drawn the larger number will be successful and the remaining two candidates will participate in a second draw. The basis is again to give effect to the “first past the post” voting system. The same principle will apply where there are N candidates having an equal number of votes and there are less than N vacancies to be filled.

## **PART VI : NOMINATION OF CANDIDATES**

1.36 The nomination period is normally of two-week duration. Nomination of a candidate must be made on the form specified by the EAC and subscribed by at least five registered electors (other than the candidate) assenting to the nomination [s 25(1) of the VRE Ord]. The subscribing electors must be registered for the Village concerned and may subscribe no more than the number of nomination forms that is equivalent to the number of VRs to be returned for the Village at the election. The nomination form should be personally delivered to the RO within the nomination period. [For details, see Chapter 2 : Nomination of Candidates.]

1.37 Within 14 days of the expiry of the nomination period, the RO for each Village will publish in the Gazette a notice of nomination which contains, in respect of the Village, information of the candidates who have been validly nominated. [S 15 of the EP (VRE) Reg.]

## **PART VII : ELECTION CAMPAIGNING**

1.38 When there are more validly nominated candidates than the number of candidates to be returned, a poll will be held [s 31 of the VRE Ord].

1.39 During the election period for the VR election, ie, from the commencement of the nomination period to the polling day of the election, the candidates may organise and conduct their election campaigning activities.

1.40 Electors will find various forms of election advertisements displayed by the candidates to publicise themselves and to promote their candidature.

1.41 Candidates are required to obtain written authorisation for display of election advertisements. Many publicity materials will also be required to be serially numbered. A copy each of the authorisations and two copies or two colour photographs of all publicity materials will have to be deposited with the respective RO for public inspection. The conditions for the display of election advertisements under criminal sanction are covered by the EP (VRE) Reg. There will be no scrutiny of the contents of the election advertisements, since the contents are purely a matter for the candidate who is fully responsible for the same. [For details, see Chapter 4 : Election Advertisements.]

1.42 Electors may also receive printed publicity materials distributed or mailed by the candidates. Candidates are required to indicate on all their printed publicity materials the name and address of the printer, together with the date of printing and the number of copies printed [see Chapter 4 : Election Advertisements].

1.43 Candidates may organise election meetings and other publicity activities, including household visits by themselves and their election agents or supporters, to introduce themselves to electors and to explain their platforms [see Chapters 5, 8 and 9].

1.44 During their election campaigning activities, candidates cannot publish any false statement, whether made orally or in writing, relating to themselves or to other candidates. They cannot make any false claim of support from individuals or organisations [see Chapters 13 and 14 : Corrupt and Illegal Conduct and Namedropping].

1.45 Electors should beware that treating, undue influence and bribery for the purposes of inducing or compelling a person to vote or refrain from voting, and the **acceptance of treating** or bribery, are all corrupt offences punishable by a fine and imprisonment under the ECICO [see Chapter 13 :



Corrupt and Illegal Conduct], and also by disqualification from being an elector or candidate.

## **PART VIII : THE POLL**

### **Before the Poll**

1.46 Polling stations to be used for polling in respect of each Village are designated by the DHA.

1.47 The DHA may set up a cluster of polling stations in the same premises. Where circumstances require, non-permanent structures may be designated as polling stations. The polling stations designated for the Villages are localised in the sense that an elector of a particular Village will be assigned to a polling station close to his Village as far as practicable. Dedicated polling stations will also be set up inside penal institutions or other suitable places. Registered electors who are imprisoned or held in custody by the law enforcement agencies on the polling day will be assigned to vote at dedicated polling station. [S 28(1)(b) of the EP (VRE) Reg.] *[Amended in December 2009]*

1.48 About ten days before the polling day, electors of contested Villages will be sent polling notices , notifying them of the date, time and place of the poll to their registered address or correspondence address (if any). To allow electors who will be serving a sentence of imprisonment on the polling day to receive the polling notices as early as possible, the HAD will send the polling notices to their prison address as far as practicable. [S 29 of the EP (VRE) Reg.] *[Amended in December 2009]*

1.49 In the case where there is only one validly nominated candidate for a Village, the candidate will be declared elected. Electors in respect of such a Village do not need to vote, and no polling notice will be sent to them. The polling stations designated for the Village will not be used for polling in respect of that Village.

1.50 An elector **may vote only at the polling station allocated to him** by the RO. HAD will as far as practicable provide access for people with a disability at the polling stations. Electors with a disability who will find it difficult for them to access the polling station allocated to them may **at least five days** before the polling day apply to the HAD for re-allocation of a polling station specifically designated for such electors. Whether the polling station allocated to an elector is accessible to persons with mobility difficulty will be specified clearly in the location map attached to the polling notices sent to each elector, together with a note indicating that if any elector allocated to this polling station has any difficulty in mobility and wishes to vote at a special

polling station, he may apply to the HAD for re-allocation. If a specially designated polling station is re-allocated to him, then he can vote only at that polling station. If circumstances permit, free Rehabus service will also be arranged to take those electors to the special polling station. Electors concerned can make enquiries with the HAD on this subject by telephone or facsimile. *[Amended in October 2006 and December 2009]*

1.51 Due to security reasons, there is a need to separate persons imprisoned or held in custody from others inside the penal institutions. The Commissioner of Correctional Services (“CCS”) will assign time slot during the polling hours of a dedicated polling station situated in a penal institution to an elector allocated to that polling station to vote, and inform the elector of the time slot assigned. The CCS must assign time slots so as to give the electors a reasonable opportunity to vote. An elector to whom a time slot is assigned may only cast his vote during that time slot (see para. 1.64). [S 27(1A), (1B), (1C), (1D) and (2A) of the EP (VRE) Reg]. *[Added in December 2009]*

### **Inside the Polling Station**

1.52 The poll normally starts at 12 noon and ends at 7:00 pm. For security reasons, dedicated polling stations situated in prisons are normally open from 1:00 pm to 4:00 pm. Before the commencement of polling, the Presiding Officer (“PRO”) at a polling station will notify the candidates, their election agents or polling agents, if they are present, the exact time when the ballot boxes will be locked and sealed. He will show such persons the ballot boxes which are empty before proceeding to lock and seal them. Candidates concerned or their agents may observe the locking and the sealing of the ballot boxes, if they are present. For each candidate, only 1 such person may be present to observe the locking and the sealing of the ballot boxes: a candidate, his election agent or his polling agent. For security reasons,

- (a) only a maximum of 2 candidates may be present to observe the locking and the sealing of the ballot boxes at dedicated polling stations situated inside maximum security prisons; and
- (b) a maximum of 2 candidates, election agents or polling agents may be present to observe the locking and the sealing of the ballot boxes at a dedicated polling station situated in a prison other than a maximum security prison.

Admission of candidates, election agents or polling agents to the aforesaid dedicated polling stations to observe the locking and sealing of ballot boxes will be on a **first-com-first-served basis**. [See also Chapter 3 on the procedures for applying for the presence of election agents or polling agents in dedicated polling stations situated in prisons.] *[Amended in December 2009]*

1.53 The PRO will display a notice providing information on voting procedure, the counting station and the ballot paper sorting station (if any) outside the polling station, or if it is a dedicated polling station inside the polling station [s 33(5) of the EP (VRE) Reg]. The PRO will also inform and show to the candidates, their election agents or polling agents, if they are present, the number of unissued ballot papers relating to the Village, which are in his possession. *[Amended in December 2009]*

### **Outside the Polling Station**

1.54 Outside the polling station, a large “no canvassing zone” (“NCZ”) will be designated to ensure the free and safe passage of electors into the polling station. Door-to-door canvassing will be allowed on the storeys above or below street level in a building within a NCZ other than a building in which there is a polling station provided that it does not pose any obstruction to electors and no amplifying device is used. Apart from this, no other canvassing activities will be allowed. A notice of the declaration of a NCZ and a map or plan showing the boundary of the area will be put up at or near the polling station. A “no staying zone” (“NSZ”) in which no one is allowed to stay or loiter will also be designated immediately outside the entrance/exit of a polling station to avoid any obstruction of entry/exit. [See Chapter 10: Prohibition Against Canvassing Activities Outside Polling Stations.] *[Amended in October 2006]*

- 1.55 On the polling day, a person must not:
- (a) other than the door-to-door canvassing activities stated in para. 1.54 above, engage in canvassing votes (including suggestion not to vote for any candidate) within the NCZ; *[Amended in September 2005]*
  - (b) use a sound amplifying system or device for any purpose in the NCZ without lawful authority or the express permission of the RO or PRO;
  - (c) use a sound amplifying system or device, for canvassing votes, so that the sound emitted by it can be heard in the NCZ;
  - (d) display in the NCZ any propaganda material relating to any candidate or his candidate number, a body any member of which is standing as a candidate in the election concerned or a political body, or the election itself; or
  - (e) stay or loiter in the NSZ without the express permission of the PRO;

otherwise he commits an offence with a maximum penalty of a fine of \$5,000 and imprisonment for 3 months [s 89(1) of the EP (VRE) Reg].

## **Admission to the Polling Station**

1.56 Other than electors, the following persons may also be admitted to a polling station:

- (a) the PRO and other polling staff;
- (b) members of the EAC;
- (c) the DHA;
- (d) the Chief Electoral Officer (“CEO”);
- (e) the RO and Assistant Returning Officers (“AROs”) for the relevant Village;
- (f) public officers on duty at the polling station, including police officers and members of the Civil Aid Service;
- (g) officers of the CSD and other law enforcement agencies on duty at dedicated polling stations;
- (h) candidates and election agents of the relevant Village<sup>Note</sup>;
- (i) polling agent(s) appointed for the polling station (this does not apply to dedicated polling stations situated in maximum security prisons<sup>Note</sup>);
- (j) public officers authorised in writing by the RO;
- (k) any person authorised in writing by a member of the EAC or the RO, subject to the conditions as imposed in the authorisation; and
- (l) a child who accompanies an elector to the polling station for the purpose of voting.

A notice will be displayed at the entrance to polling stations other than dedicated polling stations that only the above persons and electors may be allowed to enter.

### **NOTE** (para. 1.56 (h) and (i)):

- (a) For the purpose of maintaining order in the polling station, the PRO may regulate the number of electors, candidates, election agents and polling agents to be admitted to the polling station at any one time.
- (b) For each candidate, only 1 such person may be present in the polling station to observe the poll at any one time: a candidate, his election agent or his polling agent. A notice

will be displayed outside each polling station showing the capacity of the designated area inside the polling station for candidates or their election agent or polling agents to observe the poll.

- (c) Admission of candidates, election agents and polling agents will be on a **first-come-first-served basis**. In order that as many candidates, election agents and polling agents as possible will have the chance to observe the poll at the polling station, any candidate, election agent or polling agent who has been admitted to the polling station can only stay for 1 hour. He must then leave the polling station unless there is no other candidate, election agent or polling agent waiting for admission. He can apply for re-admission into the polling station again on a first-come-first-served basis.
- (d) Anyone on admission into a polling station has to sign and enter his time of entry on a log sheet. A candidate, election agent or polling agent who has to queue outside the polling station for his turn to observe the poll at the designated area will be given a number chit that indicates the order of admission. The polling staff will call out the number to admit the holder of the number chit concerned. If the holder concerned is not present at the time, his place will be taken over by the person next in line. He who has lost his place due to his absence will have to obtain a new number chit when he returns.
- (e) For security reasons, only a maximum of 2 candidates may be present at any one time to observe the poll at dedicated polling stations situated inside the maximum security prisons, and a maximum of 2 candidates, election agents or polling agents may be admitted to a dedicated polling station situated in a prison other than a maximum security prison at any one time. Observers will have to take turn in case more than two candidates/ agents intend to observe the poll at the same time. The PRO may regulate the number of people entering the dedicated polling stations. [See also Chapter 3: Appointment and Roles of Election Agent, Election Expense Agents, Polling Agents and Counting Agents.]

1.57 Except for an elector, a child accompanying an elector, a police officer, an officer of the CSD, an officer of any law enforcement agency or a member of the Civil Aid Service on duty, all other persons permitted to enter a polling station are required to sign a **Declaration of Secrecy** on a specified form and observe the provisions governing the secrecy of voting. [S 81 of the EP (VRE) Reg.] *[Amended in December 2009]*

### **Conduct Inside the Polling Station**

1.58 **The ballot is secret.** No one can force a person to vote or not to vote for any particular candidate; and no one is required to tell which candidate he has voted for or is going to vote for. A person who, without lawful authority, requires or purports to require an elector to disclose the name of, or any particular relating to, the candidate for whom the elector has voted is guilty of a criminal offence. [S 13 of the ECICO and s 38 of the VRE Ord.]

1.59 No one shall, at any time, disclose the identity of an elector at a dedicated polling station to protect the elector's privacy and safety. Anyone who makes such disclosure commits an offence punishable by a fine at level 2 (up to \$5,000) and imprisonment up to 6 months [ss 82(1)(aa) and 89(2) of the EP (VRE) Reg]. *[Added in December 2009]*

1.60 Inside the polling station, an elector should show to the polling staff his identity card or such other identity document or documents which show the identity card/document number, name and photograph of the elector, to the satisfaction of the PRO. The polling staff will check the elector's identity document against the entries on the register of electors to ascertain if the elector is registered in respect of the Village. The polling staff will then call out the name of the elector as stated in the copy of the register of electors and cross out the name and the identity document number of the elector in the register, before giving him one or two different ballot papers, as appropriate. An elector may be asked to verify his own entry on the register to ensure that he has been given the correct ballot paper(s). No record may be made as to which particular ballot paper is given to an elector.

1.61 For control purpose regarding the total number of ballot papers issued, the counterfoil of each ballot paper bears a serial number on its front. The serial number on the counterfoil will not, however, be recorded or related to the particular elector to whom the ballot paper is issued.

1.62 If there is reasonable ground for questioning the bona fides of an elector, the PRO shall ask the elector the following questions at the time of his application for a ballot paper (but not afterwards):

- (a) Are you the person registered in the FR for this Village (name and type of village) as follows (reads the whole of the relevant entry as it is recorded in the FR)?

- (b) Have you already voted in this election to elect an IIR for this Village (name of village)?
- (c) Have you already voted in this election to elect a RR for this Village (name of village)?

A person will not be issued with any ballot paper unless he has answered the questions to the satisfaction of the PRO.

1.63 Where there is reasonable cause to believe that a person has committed an offence of impersonation of an elector, the PRO may request the police officer on duty at the polling station to arrest that person. If the polling station is a dedicated polling station, the PRO may request the officer of the CSD or the law enforcement agency to remove the person concerned from the polling station and report the case to the police. [S 44 of the EP (VRE) Reg.] *[Amended in December 2009]*

1.64 If an elector has been issued with a ballot paper but chooses not to take it, he cannot return to the polling station later on and claim for that or another one. If for a reason considered justified by the PRO, an elector who has not marked the ballot paper issued to him, may, with the permission of the PRO, hand back the ballot paper to the PRO and return later to cast his vote. For a dedicated polling station situated in a prison, the elector has to return to cast his vote within the existing or newly assigned time slot. If, after having been issued with a ballot paper, an elector has become incapacitated by physical illness and has left the polling station without marking his ballot paper, he may return to the polling station to cast his vote before the close of the poll, provided that before he leaves the polling station, his ballot paper has been retrieved by the PRO. For a dedicated polling station situated in a prison, the elector has to return to cast his vote within the existing or newly assigned time slot. Under either of the above circumstances, the following actions must be taken by the PRO and/ or the CCS:

- (a) the PRO must keep that ballot paper in his custody and re-issue it, in the presence of a police officer for polling stations other than a dedicated polling station or an officer of the CSD or of the concerned law enforcement agency for a dedicated polling station, to the elector in question when the latter returns before the close of poll to cast his vote. But if at the close of poll, the elector has not returned, the PRO shall endorse the ballot paper with the word “**UNUSED**”; such ballot paper shall not be counted; and/or-
- (b) the CCS must, as far as practicable, assign to an elector of a dedicated polling station situated in a prison a new time slot during the polling hours appointed for the polling station and notify the elector of the time slot.

[Ss 46 and 51 of the EP (VRE) Reg.] *[Added in December 2009]*

1.65 When issued with a ballot paper, an elector will also be provided with a cardboard to which a chop with a tick “✓” is attached. Persons who are supplied with one ballot paper will be required to carry a white cardboard to show that they have only one ballot paper and those who are issued with two ballot papers will be required to carry a red cardboard. This arrangement is to facilitate control and monitoring so that no person can take away any ballot paper from the polling station.

1.66 Depending on the number of ballot paper to be issued, an envelope or envelopes (on which the name and the code of the relevant Village as well as the name of the district to which the relevant Village belongs will be marked by the polling staff on issue of the ballot paper) will be provided to an elector of a dedicated polling station in which the poll for two or more Villages is conducted to enclose his marked ballot paper(s) to facilitate the subsequent sorting of ballot papers in ballot paper sorting station while preserving the secrecy of vote. The elector should then immediately proceed to one of the voting compartments where he should affix the chop to give a single “✓” in the circle opposite the name of the candidate(s) of his choice on the ballot paper. The number of candidate(s) chosen should be no more than the number of candidates to be returned for that Village. No other mode of marking the ballot paper is allowed. The elector should then **fold the ballot paper to conceal the marking thereon**. An elector of a dedicated polling station in which the poll for two or more Villages is conducted should fold the ballot paper or each of the ballot papers so that the marked side is faced inside and must:

- (a) if issued with a ballot paper, put it into the envelope issued to him together with the ballot paper; or
- (b) if issued with two ballot papers, put each of them separately into the aforesaid envelope issued to him in relation to the relevant Village together with the ballot paper.

[s 47(1), (1A) and (2) of the EP (VRE) Reg]  
*[Amended in December 2009]*

1.67 Immediately after an elector comes out of the voting compartment, he should put his marked ballot paper(s) as folded or the envelope(s) containing his marked ballot paper(s), as the case may be, into a sealed ballot box as directed by the polling staff and return the cardboard and the chop to the polling staff, after which the elector should leave the polling station without undue delay. [S 47(1), (1A) and (2) of the EP (VRE) Reg.]  
*[Amended in December 2009]*



**NOTE:**

An elector must not remove a ballot paper from a polling station. Any person who brings out or attempts to bring out a ballot paper from a polling station commits an offence under s 17(1)(c) of the ECICO and s 47(3) of the EP (VRE) Reg and may be prosecuted.

1.68 A visually impaired elector who so requests will be provided with a **template** to facilitate his marking of the ballot paper without any assistance from anyone. [For details about the template, see para. 3.39 of Chapter 3.] The template should be returned to the polling staff manning the ballot boxes after use. *[Added in December 2009]*

1.69 Any elector who has inadvertently torn or damaged any ballot paper or has made an error in marking any ballot paper issued to him (“spoilt ballot papers”) may ask the PRO to exchange it for another unmarked ballot paper. Such spoilt ballot papers will be endorsed on the front with the word “**SPOILT**” and will be kept by the PRO for record. The spoilt ballot papers shall not be counted at the counting of the votes.

1.70 Where a person, representing himself to be a particular elector entered on the register, applies for any ballot paper after a person has been issued with a ballot paper as such an elector, he may be issued with a ballot paper with the word “**TENDERED**” endorsed on the front. Such a ballot paper shall not be counted at the counting of the votes.

1.71 Ballot papers which have been issued (whether marked or unmarked) are sometimes abandoned or found left behind by electors in the voting compartments or lying on the floor of the polling station, or otherwise not used. The intention of the electors is not clear in such cases. Any person who discovers such a ballot paper is required to hand it to the PRO. Such a ballot paper will be endorsed with the word “**UNUSED**” (unless it is not reasonably practicable to do so) and will be kept by the PRO. In no circumstances will the ballot paper be put into a ballot box. Such a ballot paper shall not be counted at the counting of the votes.

1.72 An elector who is unable to mark a ballot paper to indicate the choice of candidate (eg, being unable to read or write or incapacitated by visual deficiency or other physical cause) may ask the PRO, Deputy PRO or Assistant PRO to mark the ballot paper on his behalf. The marking of the ballot paper will be made to show the elector's choice in the presence of one of the polling officers as a witness.

1.73 Inside a polling station, an elector must not interfere with or attempt to influence any other elector, specifically:

- (a) speak to or communicate with any other elector if the RO, the ARO, the PRO, the Deputy PRO or any Assistant PRO has given direction to him not to do so;
- (b) attempt to obtain information, or disclose any knowledge acquired, concerning the vote of another elector;
- (c) exhibit or distribute any campaign material;
- (d) display propaganda material, eg any badge, emblem, clothing or headwear, which makes direct reference to the election, a body with any member standing as a candidate in the election, a political body, a candidate or the number allocated to a candidate; or
- (e) use a mobile telephone or any telephone or paging machine or any other form of electronic communication device if the RO, the ARO, the PRO, the Deputy PRO or any Assistant PRO has given direction to him not to do so.

If a person contravenes any of the above prohibitions, he commits an offence and will be liable to a fine at level 2 and imprisonment for 3 or 6 months [s 79A of the EP (VRE) Reg]. *[Amended in October 2006 and December 2009]*

1.74 A person must not misconduct himself in or in the vicinity of a polling station or fail to obey any lawful order of the RO or the PRO; otherwise he commits an offence punishable with a fine and imprisonment and may be ordered by such officer to leave the polling station or the vicinity of the polling station. An elector must cast his vote without undue delay. If an elector who is allocated to vote at a dedicated polling station fails to cast his vote without undue delay, the RO or the PRO may order him to leave the polling station immediately. If a person fails to leave immediately, he may be removed by:

- (a) a police officer if the polling station is not a dedicated polling station; or
- (b) an officer of the CSD or the law enforcement agency if the polling station is a dedicated polling station or
- (c) any other person authorised in writing by the RO or the PRO to remove him.

The person so removed may not re-enter the polling station or its vicinity on that day except with the permission of the RO or the PRO [s 38(10) of the EP (VRE) Reg]. *[Amended in December 2009]*

1.75 Only the following persons may speak to or communicate with electors inside a polling station:

- (a) members of the EAC;
- (b) the DHA;
- (c) the RO and AROs;
- (d) the CEO;
- (e) the PRO and other polling staff;
- (f) public officers on duty at the polling station, including police officers and members of the Civil Aid Service;
- (g) an officer of the CSD or other law enforcement agency on duty at a dedicated polling station; and
- (h) any person authorised in writing by the RO or a member of the EAC.

[s 38(2) and (3) of the EP (VRE) Reg] *[Amended in December 2009]*

1.76 No person may canvass or display any propaganda material relating to any candidate or his candidate number, a body any member of which is standing as a candidate in the election concerned or a political body, or the election itself within the boundaries of a polling station. Any person who undertakes photographing, filming and video or audio recording within a polling station without the express permission of a member of the EAC, the RO or the PRO, commits an offence and will be liable to a fine at level 2 (up to \$5,000) and imprisonment for 6 months [ss 38(4) and 89(2) of the EP (VRE) Reg]. Normally such permission is only granted to members of the media or Government photographers for publicity purposes. *[Amended in December 2009]*

### **Close of Poll**

1.77 At the close of poll, electors who intend to vote but are not at the door of their designated polling station by that time will not be allowed in afterwards. The ballot boxes will be locked and sealed by the PRO in the presence of the candidates and their agents, if they are present. The PRO will also inform them the numbers of unissued ballot papers, spoilt ballot papers and unused ballot papers in his possession. All ballot papers which are unissued, spoilt or unused and the marked copies of the register will then be made up into sealed packets. *[Amended in December 2009]*

1.78 The sealed ballot box(es), sealed packet(s) of unissued ballot papers and the ballot paper account(s) etc for a polling station other than a dedicated polling station will then be delivered to the counting station by the PRO and escorted by a police officer. *[Amended in December 2009]*

1.79 For a dedicated polling station, the PRO will deliver the sealed ballot box(es), the sealed packet(s) of unissued ballot papers and the ballot paper account(s) etc to the respective ballot paper sorting station or the relevant counting station, as the case may be, under police escort. [S 53(3) and (4) of the EP (VRE) Reg.] *[Added in December 2009]*

1.80 Up to two candidates or their agents will be allowed to participate in the delivery. Candidates and their agents are allowed to remain in the polling station until such time as police escort of the sealed ballot boxes is seen to be available, and thereafter they must leave the polling station (except the two candidates or their agents mentioned above). [S 53(2), (3) and (4) of the EP (VRE) Reg.] *[Amended in December 2009]*

## **PART IX : SORTING OF BALLOT PAPERS**

### **Conduct at the Ballot Paper Sorting Station**

1.81 Ballot paper sorting station(s) will be set up for sorting according to each Village ballot papers received from dedicated polling stations in a village ordinary election or, where the DHA considers it appropriate, a village by-election before the ballot papers are delivered to the respective counting stations for counting of votes. The EAC may appoint an ARO to preside at a ballot paper sorting station. The ARO of a ballot paper sorting station may determine the time at which the sorting of ballot papers is to begin, which must be a time after the poll for the Village concerned has closed at all the dedicated polling stations situated in prisons and may be a time before the poll has closed at all the other polling station(s) at which polling for the Village concerned is conducted. Before the polling day, candidates will be informed of the expected time of commencement of the sorting of ballot papers at the ballot paper sorting station(s). [Ss 2(1), 28(1)(c), 53(3) and (4), 55(1) and (2) and 57(1A) of the EP (VRE) Reg.] *[Added in December 2009]*

1.82 Only the following persons may be present at the sorting of ballot papers:

- (a) members of the EAC;
- (b) the DHA;
- (c) the RO;
- (d) the AROs and counting staff;
- (e) the CEO;
- (f) candidates and their election agents;

- (g) counting agents;
- (h) police officers on duty and members of the Civil Aid Services on duty at the counting station and
- (i) any person authorized in writing by the RO or a member of the EAC.

*[Added in December 2009]*

1.83 Before entry, every person authorised to be present at a ballot paper sorting station, other than the police officers and members of the Civil Aid Service on duty, must make a **Declaration of Secrecy** on a specified form and observe the provisions governing the secrecy of voting. [Ss 2(1) and 81 of the EP (VRE) Reg.] *[Added in December 2009]*

1.84 The ARO may designate an area at the ballot paper sorting station for the public to observe the count at a distance. Persons present within that designated area will not be required to make a Declaration of Secrecy. Except with the authorization of a member of the EAC, the DHA or the RO for the Villages for which the ballot paper sorting station is used, no photographing, filming and video or audio recording shall be undertaken during the sorting process. [Ss 58(1) and 59(2) of the EP (VRE) Reg.] *[Added in December 2009]*

1.85 A person must not misconduct himself in or in the vicinity of a ballot paper sorting station or fail to obey any lawful order of the ARO; otherwise he commits an offence punishable with a fine and imprisonment and may be ordered by the ARO to leave the area. A person misconducts himself if he disrupts the sorting of ballot paper or disturbs or causes inconvenience to any person in the sorting station. The ARO may also order a person to leave the ballot paper sorting station if the person behaves himself in such way that the purpose of his presence is not that for which he was authorised or permitted to enter or remain in the ballot paper sorting station. If he fails to leave immediately, he may be removed by a police officer or by any other person authorised in writing by the ARO to remove him. The person so removed may not re-enter the ballot paper sorting station on that day except with the express permission of the ARO. [Ss 2(1) and 59 of the EP (VRE) Reg.] *[Added in December 2009]*

### **Sorting of Votes**

1.86 The ARO will open the ballot boxes and empty the contents onto the sorting table(s) in the presence of the candidates, their election agents or counting agents, if they are present. After the ARO has opened the ballot boxes, the candidates, their election agents or counting agents may request to inspect any papers, other than the envelopes which contain the marked ballot

papers, taken out from the ballot boxes before they are disposed of. **At no time should a candidate, his election agent or counting agent touch any envelopes.**

- 1.87 The ARO of a ballot paper sorting station will:
- (a) open the ballot boxes received from the dedicated polling stations;
  - (b) count and record the number of envelopes in each ballot box;
  - (c) verify the ballot paper account;
  - (d) prepare a statement on the result of the verification;
  - (e) sort the envelopes according to each Village;
  - (f) record the number of envelopes according to each Village;
  - (g) prepare a statement on the number of envelopes recorded;
  - (h) make into separate bundles the sorted envelopes together with the relevant statement on the number of envelopes recorded;
  - (i) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and
  - (j) arrange the receptacles to be delivered to the ROs of the respective counting stations.

[S 60A of the EP (VRE) Reg.] *[Added in December 2009]*

## **PART X : THE COUNT**

### **Conduct at the Counting Station**

- 1.88 Only the following persons may be admitted to a counting zone:
- (a) members of the EAC;
  - (b) the DHA;
  - (c) the RO;
  - (d) the AROs and counting staff;
  - (e) the CEO;
  - (f) candidates and their election agents;
  - (g) counting agents;

- (h) police officers on duty and members of the Civil Aid Service on duty at the counting station; and
- (i) any person authorised in writing by the RO or a member of the EAC.

[S 58(3) of the EP (VRE) Reg.]

1.89 Before entry, every person authorised to be present at a counting zone, other than the police officers and members of the Civil Aid Service on duty, must make a **Declaration of Secrecy** on a specified form and observe the provisions governing the secrecy of voting.

1.90 The RO may designate an area at the counting station for the public to observe the count at a distance. Persons present within that designated area will not be required to make a Declaration of Secrecy. Except with the authorisation of a member of the EAC, the DHA or the RO, no photographing, filming and video or audio recording shall be undertaken during the counting process.

1.91 A person must not misconduct himself in or in the vicinity of a counting station or fail to obey any lawful order of the RO, otherwise he commits an offence punishable with a fine and imprisonment and may be ordered by the RO to leave the area. A person misconducts himself if he disrupts the counting of votes or disturbs or causes inconvenience to any person in the counting station. The RO may also order a person to leave the counting station if the person conducts himself in such way that the purpose of his presence is not that for which he was authorised or permitted to enter or remain in the counting station. If he fails to leave immediately, he may be removed by a police officer or by any other person authorised in writing by the RO to remove him. The person so removed may not re-enter the counting station or its vicinity, before the counting of the votes at the counting station is finished, without the express permission of the RO who ordered him to leave [s 59 of the EP (VRE) Reg].

### **Counting of Votes**

1.92 The ballot boxes will be opened by either the RO or the ARO in the presence of the candidates and their election or counting agents, if they are present. The ballot papers in each ballot box will be taken out and counted.

1.93 The candidates and their agents may request to inspect any papers other than ballot papers taken out from the ballot boxes before they are disposed of.

1.94 The RO of a counting station will:

- (a) open the envelope(s) in each receptacle received from the ballot paper sorting stations and count and record the ballot paper(s) therein;
- (b) count and record the number of ballot papers in each ballot box under his charge;
- (c) verify the ballot paper accounts received from all the polling stations;
- (d) arrange to mix the ballot papers cast at all the polling stations; and
- (e) decide which of the following methods is to be used for the counting of votes:
  - (i) If the first method is used, ballot papers will be separated with reference to the candidate for whom the vote has been recorded and placed into the relevant box, and then the valid ballot papers will be counted.
  - (ii) If the second method is used, all valid ballot papers will firstly be separated from other ballot papers, then the name of the candidate for whom the vote has been recorded will be called out, and a mark indicating the vote for the candidate will be recorded on a board displayed at the counting station.

[Ss 60, 60A and 61 of the EP (VRE) Reg.] *[Amended in December 2009]*

**Ballot Papers Not to be Counted**

1.95 A ballot paper is invalid if:

- (a) it is not marked by affixing the chop provided by the electoral staff;
- (b) votes are given for more than one candidate in respect of the election of a RR for an EV;
- (c) votes are given for more than the number of IIRs to be elected in respect of the election for an IV;
- (d) votes are given for more than one candidate in respect of the election of an IIR for a CIV;
- (e) no vote has been marked on it;
- (f) the RO determines that it is void for uncertainty;
- (g) it is marked in any way by which the RO considers that the



elector can possibly be identified;

- (h) it is substantially mutilated;
- (i) it is endorsed on the front with the word “ TENDERED ”;
- (j) it is endorsed on the front with the word “ UNUSED ”; or
- (k) it is endorsed on the front with the word “ SPOILT ”.

[Ss 48(1)-(3), 61 and 62 of the EP (VRE) Reg.]

When deciding on the validity of the ballot papers in (g) above, the RO will make reference to the judgment made by the Court on an election petition case (HCAL 127/2003). In that case, the Court ruled that the handwritten tick found on the ballot paper in question in the said election petition was considered a mark by which the elector could possibly be identified. The validity of ballot papers with any other writing or mark will remain to be determined by the RO on a case-by-case basis. [S 63(1), (2) and (3) of the EP (VRE) Reg] *[Amended in February 2005]*

1.96 Ballot papers with doubtful validity as per items (a) – (d) and (f) – (h) above are set aside as questionable ballot papers [s 61(2) of the EP (VRE) Reg]. A relevant candidate or his election agent may object to the acceptance or rejection of a questionable ballot paper by making his objection known to the RO for the Village, who will decide whether the ballot paper (or the vote recorded thereon) is valid or to be rejected and, in the latter event, endorse on the ballot paper the word “rejected”. *[Amended in October 2006]*

1.97 A relevant candidate or his election agent may object to the rejection of a ballot paper by the RO for the Village, in which case the RO shall add to the endorsement the words “rejection objected to”. Questionable ballot papers which are accepted by the RO for the Village but objected to by a candidate or his election agent will be marked “acceptance objected to”.

1.98 The decision of the RO in regard to any question arising in respect of any ballot paper shall be **final**, but may be subject to review on an election petition.

1.99 The number of ballot papers in respect of each polling station will be recorded and verified against the ballot paper account prepared by the PRO of the polling station [s 64 of the EP (VRE) Reg].

1.100 The counting of votes will proceed continuously, as far as possible, until the counting is completed.

1.101 After a count, the RO will make known the result to the candidates or their election or counting agents present. Such a candidate or

his election agent may request the RO for the Village to re-count the votes and the relevant RO shall comply with any such request unless in his opinion it is unreasonably made.

### **Declaration of Result**

1.102 When the counting of votes and re-counts, if any, are completed and a result obtained, the RO shall declare the results in accordance with the principles set out in para. 1.35. The RO shall display a notice of result of the election in a prominent place outside the counting station. The result of the election will also be published in the Gazette within 10 days of the declaration of the result.

## **PART XI : DISPOSAL OF DOCUMENTS**

1.103 As soon as practicable after the RO has ascertained the result of the poll in an election, he will seal all the relevant documents and ballot papers into packets. Candidates and their agents may observe the packing, if they wish.

1.104 These sealed packets of documents will then be deposited with the DHA for safe custody for 6 months before they are destroyed.

1.105 **Except pursuant to a court order** in relation to an election petition or a criminal proceeding, **no person may inspect any ballot paper in the custody of the DHA.**



## CHAPTER 2

### NOMINATION OF CANDIDATES

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- Part I : Qualification and Disqualification for Nomination
- Part II : When and How to Nominate
- Part III : Validity of Nomination Papers
- Part IV : Withdrawal from Candidature
- Part V : Notice of Nomination
- Part VI : Introductory Leaflet and Photographs

#### **PART I : QUALIFICATION AND DISQUALIFICATION FOR NOMINATION**

2.1 The law governing the qualification and disqualification for the nomination of candidates for the VR election is contained in the VRE Ord. The procedure for nomination of candidates for the VR election is provided in the EP (VRE) Reg made by the EAC.

#### **Qualifications** [s 22 of the VRE Ord]

2.2 To qualify for nomination as a candidate at an election for an EV, a person must:

- (a) be 21 years of age or above;
- (b) be registered, and eligible to be registered, as an elector for the Village;
- (c) not be disqualified from voting at the election by virtue of s 14 of the VRE Ord;
- (d) not be disqualified from being nominated as a candidate at the election, or from being elected as a RR for the Village by virtue of s 23 of the VRE Ord or any other law;
- (e) be a Hong Kong permanent resident [s15(4) of the VRE Ord]; and
- (f) be a resident of the Village, and has been such a resident of the Village for the 6 years immediately preceding the nomination.

2.3 To qualify for nomination as a candidate at an election for an IV or a CIV, a person must :

- (a) be an indigenous inhabitant of the Village;
- (b) be 21 years of age or above;
- (c) be registered, and eligible to be registered, as an elector for the Village;
- (d) not be disqualified from voting at the election by virtue of s 14 of the VRE Ord;
- (e) not be disqualified from being nominated as a candidate at the election, or from being elected as an IIR for the Village by virtue of s 23 of the VRE Ord or any other law;
- (f) be a Hong Kong permanent resident; and
- (g) ordinarily reside in Hong Kong.

2.4 A person is considered to have **ordinarily resided in Hong Kong** when he has habitually and normally lived there lawfully for a settled purpose, apart from temporary and occasional absences such as holidays and absence abroad for studying purposes. Each case has to be examined upon its own facts. Matters like the length of the person's absence, the reason for his absence, the location of the home of him, his spouse, children and parents and his maintenance of connections with Hong Kong are all relevant factors. In case of doubt, a prospective candidate should consult his own legal adviser. *[Amended in October 2004]*

**Disqualifications** [s 23 of the VRE Ord]

2.5 A candidate must not be subject to any of the disqualifications specified in the VRE Ord, for example, being a judicial officer; being a representative or salaried functionary of a government of a place outside Hong Kong; being a member of any national, regional or municipal legislature, assembly or council of any place outside Hong Kong (other than a people's congress or people's consultative body of the People's Republic of China, whether at the national or local level); being convicted of treason; being incapable by reason of mental incapacity of managing and administering his property and affairs; being an undischarged bankrupt; having been convicted of certain criminal or corruption offences etc. within the previous 5 years, or being a prisoner who has not finished serving his sentence. A person will also be disqualified from being elected as a RR for an EV if, at any time after the close of nominations of candidates for the election of a RR for an EV, the person ceases to be a resident of the Village. [For full details, see s 23 of the VRE Ord.]

## **PART II : WHEN AND HOW TO NOMINATE**

### **When to Nominate**

2.6 Nomination may be made during the **nomination period** specified in the Notice of Election published in the Government Gazette [s 4 of the EP (VRE) Reg]. An election timetable will be provided to each candidate by the RO for the Village. The opening and closing hours on each working day (ie any day other than a general holiday) in the nomination period for the ROs to accept nominations are from 9 am to 5 pm on Monday to Friday and from 9 am to 12 noon on Saturday. **Candidates are encouraged to submit their nominations well before the expiration of the nomination period to allow time for any errors in their nomination forms to be corrected.**

### **How to Nominate**

2.7 Nomination forms are available from any District Office or from the HAD headquarters.

2.8 The nomination form comprises:

(a) **The Nomination.**

This must be subscribed by at least five registered electors (other than the candidate) assenting to the nomination [s 25 of the VRE Ord]. The subscribing electors must be registered for the Village concerned and may subscribe no more than the number of nominations that is equivalent to the number of VRs to be returned for the Village at the election.

#### **IMPORTANT:**

A candidate who submits a nomination form on the last few days of the nomination period is advised to include more than the minimum required number of subscribers for his nomination, to avoid the risk of invalidation of the nomination should one or more of the subscribers be subsequently found not to be qualified as subscribers. Electors subscribing a nomination should sign the nomination form **personally**. *[Amended in October 2004]*

No illegal act shall be used to cause an elector to nominate or not to nominate a person as a candidate. Intimidation is an offence under s 24 of the Crimes Ordinance (Cap. 200), punishable by a fine or up to five years' imprisonment. Bribery is also an offence punishable by fine or imprisonment. *[Added in September 2005]*

(b) The Candidate's Consent to Nomination and Declaration.

This must be completed and signed by a candidate and endorsed by a witness. A candidate must make and sign a declaration to the effect that the candidate will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region [s 24 of the VRE Ord].

**IMPORTANT:**

No person shall be nominated in an election as a candidate for more than one Village. When a person submits his nomination form, he must have withdrawn all his prior nominations, if any, and make a declaration (contained in the specified form) that either he has not been nominated before for any other Village in the election, or if he has been so, he has withdrawn all those prior nominations. Where a candidate stands nominated [see para. 2.12 below], any subsequent nominations of his will be rejected as invalid.

In the nomination form, a candidate is required to state his occupation. Candidates should make sure that their nomination forms are properly completed before submission.

2.9 Each nomination form must be submitted **in person** to the RO for the Village concerned. The RO may refuse to accept any nomination form where there is a material alteration of its content.

2.10 The completed nomination form must be lodged with the RO for the Village concerned by the candidate **in person** during ordinary business hours, ie the hours between 9 am and 12 noon on a Saturday and the hours between 9 am and 5 pm on any other day other than a general holiday, within the nomination period. The RO may, in exceptional circumstances, eg the nominee's temporary absence from Hong Kong or incapacity due to illness, authorise other form of delivery of the nomination form to the RO.

**False Declarations**

2.11 A candidate who knowingly and wilfully makes a statement which is false in a material particular in the declaration in the nomination form shall be guilty of an offence under s 90(3) of the EP (VRE) Reg punishable by a fine at level 2 and imprisonment for 6 months and with the disqualifying effect as described in paras. 12.38 and 13.30 of the Guidelines [s 90(4) and (5) of the EP (VRE) Reg]. If elected, he will also be disqualified from holding office as a VR in accordance with s 9(1)(d)(iv) of the VRE Ord. *[Amended in September 2005]*

### **PART III : VALIDITY OF NOMINATION PAPERS**

2.12 Where the RO has received a nomination form within the nomination period, the candidate will be deemed to stand nominated unless the RO decides that the nomination is invalid.

2.13 The decision as to the validity of a nomination will be made as soon as practicable after receipt of the nomination form.

2.14 Where a nomination appears to the RO to be invalid because of some errors which can be corrected within the nomination period, the RO will, if practicable, give the candidate a reasonable opportunity of correcting the errors before making a decision that the nomination is invalid. For example, if the entitlement of any subscriber is in doubt, a prospective candidate may be allowed to make a substitution as soon after the submission of his nomination form as practicable. However, no substitution for any subscriber or re-submission of a nomination form will be accepted after the close of the nomination period.

2.15 A nomination may be ruled invalid if any errors on the nomination form are not corrected by the close of the nomination period.

2.16 The RO may require such additional information from a candidate as he considers necessary to satisfy himself as to the validity of the nomination.

2.17 A nomination will not be valid unless it contains all the information and signatures required to be shown on the nomination form or by the RO and the candidate has made the declaration referred to in para. 2.8(b) above.

2.18 The RO can decide that a nomination is invalid only where:

- (a) the number or qualifications of the subscribers are not as required by s 25 of the VRE Ord;
- (b) the nomination form, including the nomination and declaration, has not been completed or signed ;
- (c) he is satisfied that the candidate is not qualified to be, or is disqualified from being, nominated as a candidate;
- (d) the candidate has been nominated for another Village in the same election and the RO is not satisfied that he has withdrawn that candidature;
- (e) he is satisfied that the candidate is dead; or



- (f) the nomination form is not lodged within the nomination period [see paras. 2.6 and 2.10 above].

2.19 If, having decided that a candidate is validly nominated but before the election day, the RO becomes aware that the candidate has died, he must publicly declare that the candidate has died and further declare which candidate is or candidates are validly nominated for that Village. The RO does not have to make any such declaration if the candidate is uncontested in his Village and the RO has publicly declared that the candidate was duly elected [s 28 of the VRE Ord and s 16 of the EP (VRE) Reg].

2.20 If, having decided that a candidate is validly nominated but before the election day, the RO becomes aware that the candidate is disqualified from being nominated as a candidate, the RO must vary the decision to the effect that the candidate is not validly nominated. He must then publicly declare his varied decision and which candidate is or candidates are validly nominated for that Village. The RO may not vary his decision if the candidate is uncontested in his Village and the RO has publicly declared that the candidate was duly elected [s 28 of the VRE Ord and s 18 of the EP (VRE) Reg].

#### **PART IV : WITHDRAWAL FROM CANDIDATURE**

2.21 A candidate may withdraw his nomination by completing and signing a specified “Withdrawal of Candidature” form and lodging it with the RO concerned by not later than the last day of the nomination period [s 26 of the VRE Ord].

#### **IMPORTANT:**

It is an offence under ss 7 and 8 of the ECICO for a person to bribe or use force or duress against a candidate to withdraw his candidature; and for a candidate to solicit or accept a bribe to withdraw his candidature.

#### **PART V : NOTICE OF NOMINATION**

2.22 The RO for the Village concerned will publish a notice in the Gazette within 14 days of the close of the nomination period stating the name and the principal residential address of each of all the validly nominated candidates for the Village, together with the number (which will be shown on the ballot paper) allocated by the drawing of lots to each candidate. Each validly nominated candidate will also be separately informed.

## **PART VI : INTRODUCTORY LEAFLET AND PHOTOGRAPHS**

2.23 After the close of nominations, the RO will inform each validly nominated candidate the time and date on which he will draw lots to allocate a number to each candidate to be shown on the ballot paper and they may attend if they so wish. Thereafter, the HAD will publish a brief introduction of the candidates in the form of a leaflet. The number of each candidate on the ballot paper allocated to him by the drawing of lots will also be shown on this introductory leaflet. The leaflet will be mailed to the electors close to the time of the polling day. Copies of the introductory leaflets will be made available in the Correctional Services Department (“CSD”) and other law enforcement agencies for persons imprisoned or held in custody. *[Amended in February 2005 and December 2009]*

2.24 Candidates are free to make use of this introductory leaflet to promote themselves. Any candidate who so wishes should submit the following to the relevant RO **before noon of the following working day (including Saturday) after the close of the nominations:**

- (a) an introductory message inside a specified form provided by the RO; and
- (b) 3 identical copies of his photograph with his name on the back which must be in specified size, in colour and taken within the last 6 months.

*[Amended in February 2005]*

2.25 The contents, nature and presentation of the candidate’s message in the introductory leaflets are exclusively the idea and work of the candidate himself. They will not be subject to alteration or edition by the HAD unless they are considered to be indecent, defamatory or in any other way unlawful. Candidates are reminded that some electors are only able to read English. *[Added in February 2005]*

## CHAPTER 3

### APPOINTMENT AND ROLES OF ELECTION AGENT, ELECTION EXPENSE AGENTS, POLLING AGENTS AND COUNTING AGENTS

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- Part I : General
- Part II : The Election Agent
- Part III : Election Expense Agents
- Part IV : Polling Agents
- Part V : Counting Agents

#### **PART I : GENERAL**

3.1 This chapter deals with the appointment of agents at an election and their roles.

3.2 A candidate should think carefully before selecting any of his agents. He should choose persons suitable for the task. They will be viewed as his representatives and their conduct may affect the public's perception of him.

#### **Types and Numbers of Agents**

3.3 If he so wishes, a candidate may appoint the following agents to assist him in an election:

- (a) **1** election agent [s 22(1) of the EP (VRE) Reg];
- (b) **any number** of election expense agents [s 23(1) of the EP (VRE) Reg];
- (c) not more than **2** polling agents [s 36(1) of the EP (VRE) Reg] (For arrangements regarding the admission of election agents or polling agents to dedicated polling stations situated in prisons, please refer to paras. 3.12 to 3.16 and paras. 3.24 to 3.27 below); and
- (d) not more than the number of counting agents to be determined by the RO [s 56(2) of the EP (VRE) Reg].

*[Amended in December 2009]*

## Qualifications

3.4 The election, polling and counting agents should be holders of the Hong Kong identity card and have attained the age of 18 years [ss 22(2), 36(3) and 56(3) of the EP (VRE) Reg] while an election expense agent needs to be a person who has attained the age of 18 years [s 23(2) of the EP (VRE) Reg].

## Civil Servants Acting as Agents

3.5 Civil servants may act as agents or assist in electioneering activities provided that they are not already appointed by the RO as polling staff, or by the DHA as counting staff, that there is no conflict of interest with their official duties, that no use of public resources is involved, and that no government uniform is worn. To avoid any unfairness, semblance of unfairness or conflicts of interest, civil servants who work in a Village or have extensive contacts with the public in a Village including, in particular, staff members of the HAD are strongly advised not to participate in electioneering activities.

## **PART II : THE ELECTION AGENT**

### Appointment

3.6 A candidate may appoint **one** election agent to assist him and to act on his behalf in an election [s 22(1) of the EP (VRE) Reg]. The appointment may be made at any time after a candidate hands in his own nomination form.

3.7 The candidate must give notice of such appointment to the RO for the Village for which the candidate is nominated [s 24(2) of the EP (VRE) Reg]. The notice must be in the specified form and signed by both the candidate and the agent [s 24(3) of the EP (VRE) Reg]. The appointment will not be effective until the notice of appointment is received by the RO [s 24(7) of the EP (VRE) Reg].

3.8 However, before the notice of appointment is received, the acts of the election agent purported to be appointed by the candidate and the expenses incurred by any purported agent for promoting the election of the candidate or for prejudicing the election of another candidate may be treated as the candidate's own acts and election expenses. It is **important** to note that it is an **illegal conduct** for any person other than a candidate or a candidate's election expense agent to **incur such expenditure** [s 23 of the ECICO].

## **Revocation**

3.9 The appointment of an election agent may be revoked by the candidate at any time. The candidate must also give notice of the revocation in writing to the RO. A revocation of an appointment of an election agent will not be effective until such notice is received by the RO [s 24(7) of the EP (VRE) Reg].

3.10 If an election agent passes away or has his appointment revoked, the candidate may appoint another election agent. In such a case, the candidate must give notice of the replacement appointment in the specified form to the RO in accordance with para. 3.7 above [s 24(3), (6) and (7) of the EP (VRE) Reg]. If the new election agent wishes to observe the poll at a dedicated polling station situated in a prison (other than a maximum security prison), he is required to follow the arrangements set out in paras. 3.12 to 3.15 below. *[Amended in December 2009]*

## **Notification**

3.11 As soon as practicable after the close of the nomination period, and thereafter as required, each validly nominated candidate or his election agent will receive from the RO a notice containing the details of all the election agents appointed by all candidates [s 25 of the EP (VRE) Reg].

## **Role of an Election Agent**

3.12 A duly appointed election agent ranks in the **most important position** amongst all kinds of agents of a candidate. 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 appoint or revoke the appointment of an election agent or election expense agent;
- (d) to incur election expenses unless he has also been appointed as an election expense agent by the candidate; and
- (e) to be present in a dedicated polling station situated in a maximum security prison.

[S 22(3) of the EP (VRE) Reg.] *[Amended in October 2006 and December 2009]*

### **IMPORTANT:**

An election agent is, along with the candidate, responsible for the management of the campaign. A candidate is responsible for all acts of his election agent. If the election agent fails in his duties, he may contravene the law, and in particular, the ECICO, and commit criminal offences for which the candidate may also be liable, with serious consequences. An election agent will need to be authorised by a candidate to incur election expenses. If so authorised, the election agent becomes also an election expense agent. [See Part III of this chapter.]

3.13 Candidates and their election agents are entitled to be present at the counting of the votes and are normally allowed admission to polling stations in respect of the Villages for which the candidates are nominated. Due to security reasons, only candidates may enter dedicated polling stations situated in maximum security prisons to observe the poll. An election agent, who wishes to observe the poll at a dedicated polling station situated in a prison other than a maximum security prison, must lodge an application in the specified form with the DHA at least one week before the polling day. The election agent may not be present at that dedicated polling station unless the Commissioner of Correctional Services (“CCS”) has given consent to his presence. If the CCS refuses to give consent to the application lodged, he will notify the candidate or his election agent as soon as practicable. [S 22(3) and (3C) of the EP (VRE) Reg.] *[Amended in December 2009]*

3.14 The CCS may, on an application lodged during the week before the polling day, give consent if he is satisfied that a person imprisoned or held in custody by the CSD, who is entitled to vote for the relevant Village at the dedicated polling station concerned, is admitted or transferred to the prison concerned during that week and the application is lodged without undue delay after the admission or transfer. The HAD will post and update on its website the number of registered electors who are imprisoned in individual prisons every working day starting from three weeks before the polling day and on the Saturday immediately before the polling day for candidates’ reference. [S 22(3B) of the EP (VRE) Reg.] *[Added in December 2009]*

3.15 No election agent may be present at a dedicated polling station situated in a prison if the CCS has already given consent to the presence of a polling agent of the same candidate at that polling station. [S 22(3A) of the EP (VRE) Reg.] *[Added in December 2009]*

3.16 The PRO of a polling station may regulate the number of candidates and their agents to be admitted to the polling station at any one time, for the purpose of maintaining order in the polling station and ensuring that the polling is conducted smoothly. **Whilst inside a polling station, a counting station or a ballot paper sorting station, the provisions to be observed by**

**polling agents and counting agents are also applicable to candidates and their election agents.** They are therefore advised to familiarise themselves also with Parts IV and V of this chapter. *[Amended in October 2006 and December 2009]*

### **PART III : ELECTION EXPENSE AGENTS**

#### **Appointment**

3.17 The appointment shall be in writing on a specified form and state the name, identity document number and address of the election expense agent, and must specify the maximum amount of election expenses the agent may incur [s 26 of the EP (VRE) Reg]. It should be signed by both the candidate and the agent [s 24(3) of the EP (VRE) Reg]. A copy of the appointment must be lodged with the relevant RO, or the DHA if the RO has not been appointed, by the candidate [s 24(1) and (2) of the EP (VRE) Reg].

3.18 The appointment is not effective until it has been received by the relevant RO or the DHA, as the case may be. Before the appointment is received, no election expenses should be incurred by a person purported to be appointed in the appointment as an election expense agent. It is also important to note that it is an illegal conduct for any person other than a candidate or a candidate's election expense agent to incur such expenses [s 23 of the ECICO]. The expenses so incurred may also be counted as the candidate's election expenses. *[Amended in October 2004]*

3.19 A candidate may appoint any number of election expense agents to incur election expenses on his behalf in an election. *[Added in October 2004]*

#### **Revocation**

3.20 The appointment of an election expense agent may be revoked by a candidate at any time. The candidate must give notice of the revocation as soon as possible in writing to the RO, or the DHA if the RO has not been appointed. The RO or the DHA, as the case may be, will only regard a revocation as effective when he receives the notice [s 24(7) of the EP (VRE) Reg]. The election expenses already incurred will still be counted as election expenses of the candidate. If an election expense agent passes away or has his appointment revoked, the candidate may appoint another election expense agent. In such a case, the candidate must give notice of the replacement appointment in the specified form to the RO [s 24(3), (6) and (7) of the EP (VRE) Reg].

### **Role of Election Expense Agents**

3.21 An election expense agent is authorised to incur election expenses on behalf of a candidate. He must not incur election expenses in excess of the amount specified in the notice of appointment; otherwise he commits a criminal offence [s 23(4) of the ECICO].

### **Candidate's Duty to Know the Details of Election Expenses Incurred by His Election Expense Agents**

3.22 Every candidate is under a **duty**, subject to criminal penalty for breach, to submit to the relevant RO a return and declaration of his election expenses and donations with supporting receipts and invoices not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law [s 37 of the ECICO and Part IV of Chapter 12]. For the efficient and effective discharge of his duty, the candidate should **make sure** that his election expense agents will keep account of all election expenses incurred on his behalf and will provide to him, as soon as practicable but not after the expiration of the same 30-day period, a detailed statement of expenditure in which each item of expenditure of \$100 or more has to be supported by an invoice and a receipt. If any item of expenditure incurred by the election expense agents is paid or defrayed or contributed to by a donation, the candidate should **make sure** that they will provide him with a statement detailing the expenses. If an item is not explicit in monetary terms, it should be assessed at a reasonable value; and if any item is more than \$1,000, it should be supported by a copy of the receipt issued to a donor (in a specified form signed by the donor). Without such statements and vouchers provided by the election expense agents, the candidate will no doubt have difficulty in discharging his duty to file the return and declaration of election expenses and donations, in which case he **may be liable for a criminal offence**. *[Amended in October 2006]*

### **Public Inspection of Notices of Appointment**

3.23 The RO or the DHA, as the case may be, will make available for public inspection all copies of notices of appointment submitted by candidates until the expiration of the period for which copies of the election return lodged by the candidates are available for inspection, ie up to the first anniversary of the date on which the result of the election is published. This offers the public and other candidates an opportunity to scrutinise the amount of election expenses [s 24(9) of the EP (VRE) Reg].



## **PART IV : POLLING AGENTS**

### **Appointment**

3.24 A candidate may appoint **not more than 2 polling agents**. A polling agent may attend only at the polling station(s) in respect of the Village for which the candidate is nominated except that:

- (a) no polling agent may be present in a dedicated polling station situated at a maximum security prison;
- (b) a polling agent may not be present in a dedicated polling station situated in a prison (other than a maximum security prison) unless, upon an application in a specified form with the DHA at least one week before the polling day and the CCS has given consent to his presence; and
- (c) for a dedicated polling station situated in a prison (other than a maximum security prison), no polling agent may be present if the CCS has already given consent to the presence of the election agent of the same candidate at that polling station.

[Ss 36(1) and (2), 37(1), (1A), (1B) and (6B) of the EP (VRE) Reg.] *[Added in October 2004 and amended in December 2009]*

3.25 The appointment of a polling agent shall be made on a specified form. The candidate must give notice of such appointment in writing signed by him to the relevant RO at least one week before the polling day [s 36(4) of the EP (VRE) Reg]. Where a candidate appoints a polling agent after the above deadline, he is required to give notice of the appointment to the PRO of the polling station(s) (other than a dedicated polling station situated in a prison) in respect of the Village concerned for which that agent wishes to be admitted to observe the poll. Such notice must be given by the candidate or the election agent **personally** by delivering the notice of appointment to the PRO (or the Deputy PRO or an Assistant PRO) at the relevant polling station(s) on the polling day and before the agent concerned enters the polling station(s) [s 36(10) of the EP (VRE) Reg]. The appointment will not be effective until the notice of appointment is received by the relevant RO or the PRO, as the case may require [s 36(9) of the EP (VRE) Reg]. *[Amended in December 2009]*

3.26 If the CCS refuses to give consent to an application as mentioned in paragraph 3.24(b) above, he will notify the candidate or his election agent as soon as practicable. The CCS may, on an application lodged during the week before the polling day, give consent if he is satisfied that a person imprisoned or held in custody by the CSD, who is entitled to vote for the relevant Village at the polling station concerned, is admitted or transferred to the prison

concerned during that week and that the application is lodged without undue delay after the admission or transfer. The HAD will post and update on its website the number of registered electors who are imprisoned in individual prisons every working day starting from three weeks before the polling day and on the Saturday immediately before the polling day for candidates' reference. [s 37(1A), (1C) and (1D) of the EP (VRE) Reg]. *[Added in December 2009]*

### **Revocation**

3.27 The appointment of a polling agent may be revoked by the candidate at any time. The candidate must also give notice of revocation in writing and in the specified form to the relevant RO before the polling day or to the PRO (other than a PRO of a dedicated polling station in a prison) on the polling day in the same manner as specified in the para. 3.25 [s 36(6) and (7) of the EP (VRE) Reg]. A revocation of an appointment of a polling agent will not be effective until the notice thereof is received by the relevant RO or PRO (other than a PRO of a dedicated polling station situated in a prison), as the case may require [s 36(9) of the EP (VRE) Reg]. If a polling agent passes away or has his appointment revoked, the candidate may appoint another polling agent. In such a case, the candidate must give notice of the replacement appointment in the specified form to the relevant RO or PRO [s 36(5), (8) and (9) of the EP (VRE) Reg]. If a replacement of polling agent is appointed and he wishes to observe the poll at a dedicated polling station in a prison (other than a maximum security prison), he is required to follow the arrangements set out in paras. 3.24 to 3.26 above. *[Amended in December 2009]*

### **Role of a Polling Agent**

3.28 Polling agents are appointed **to assist a candidate in observing the conduct of the poll** to detect impersonation or irregularity at polling stations.

### **Provisions which the Polling Agents should be Aware of**

3.29 On behalf of each candidate, only 1 polling agent may be admitted at any one time to a polling station (other than a dedicated polling station situated in a maximum security prison) in respect of the Village for which the candidate is nominated. He is required to stay and keep his movements within the area designated for observation of the poll and not outside. Where a candidate is present within a polling station, the election agent or the polling agent of that candidate appointed for that polling station will not be allowed to be present at the same time within the polling station. [S 37(4), (5) and (6) of the EP (VRE) Reg.] [See also Part VIII of Chapter 1 regarding the admission of candidates, election agents and polling agents to the

polling station.] *[Amended in December 2009]*

3.30 Before entering a polling station, every person, other than an elector, a child accompanying an elector, a police officer, an officer of the CSD or an officer of a law enforcement agency or a member of the Civil Aid Service on duty, must make a Declaration of Secrecy on a specified form and observe the provisions governing the secrecy of voting [ss 81 and 82 of the EP (VRE) Reg]. This is to make sure that, subject to penalty of making a false declaration, all persons inside a polling station will observe the secrecy of the vote of the elector and, in particular, not to divulge which elector has voted for which candidate. *[Amended in December 2009]*

3.31 On attending the polling station, a polling agent shall report to the PRO and produce his identity card and the Declaration of Secrecy completed by him for inspection [s 37(7) of the EP (VRE) Reg]. *[Amended in December 2009]*

3.32 The following will occur before, during and after the poll on the polling day:

(a) Before

- (i) Before the commencement of the polling, the PRO will inform the candidates or their agents (either election agent or polling agent) if they are present, the number of ballot papers in his (the PRO's) possession, showing them the books of ballot papers not yet issued to any elector (“**UNISSUED** ballot papers”).
- (ii) The PRO will show such persons the empty ballot boxes before proceeding to lock and seal them.

(b) During

- (i) In the course of polling, the PRO will show to each candidate or his election or polling agent, who is present at the relevant time, any abandoned ballot papers that have been issued or any torn pieces of such ballot papers found lying anywhere in the polling station (“**UNUSED** ballot papers”). Such ballot paper will not be put into a ballot box and will not be counted at the counting of votes. [Ss 51 and 62 of the EP (VRE) Reg].
- (ii) Where a person, representing himself to be a particular elector entered on the register, applies for any ballot paper after a person has been issued with any ballot paper as such an elector, he may be issued with a ballot paper with the word “**TENDERED**” endorsed on the front. Such ballot paper will not be counted at the counting of votes.

[Ss 50 and 62 of the EP (VRE) Reg.]

- (iii) Any elector who has inadvertently torn or damaged any ballot paper or has made an error in marking any ballot paper issued to him may ask the PRO to exchange it for another ballot paper. Such spoilt ballot paper will be endorsed on the front with the word “**SPOILT**” and will be kept by the PRO. The spoilt ballot papers will not be counted at the counting of votes. [Ss 52 and 62 of the EP (VRE) Reg.]

(c) After

- (i) The PRO will, in the presence of persons present, lock the flap on the lid of the ballot boxes and seal it. He will also inform each candidate or his agent who is present of the number of the following types of ballot papers in his possession: unissued ballot papers, unused ballot papers, and spoilt ballot papers.

*[Added in October 2004]*

3.33 Generally speaking, a polling agent may observe all proceedings in the polling station(s) in respect of the Village for which the candidate concerned is nominated other than a dedicated polling station situated in a maximum security prison (subject to paras. 3.24 to 3.26 above) and record his observations but shall not do anything that may interfere with the conduct of the poll. A polling agent **MAY**-

- (a) Leave the polling station at any time during the poll, in which case his place may be taken by a candidate, an election agent or another polling agent appointed to attend at the polling station [see para. 3.29].
- (b) Observe the locking and sealing of empty ballot boxes before the poll commences and the locking and sealing of the ballot boxes at the close of poll. *[Amended in October 2004]*

**NOTE:**

A polling agent who signs the sealing certificate of a ballot box as witness is required to write his name in block letters beneath his signature for easy identification. Candidates are advised to keep a list of their own polling agents to facilitate checking when the sealing certificate is broken at the counting station.

- (c) Observe the issue of ballot papers to electors and the crossing out of the relevant entries from the copy of the register of electors,

subject to the condition that they cannot interfere with the work of the polling staff.

- (d) Where there is reasonable ground for questioning the bona fides of an elector, ask the PRO to put the following prescribed questions (subject to necessary modifications) to that person at the time of his application for a ballot paper (but not afterwards):
- (i) Are you the person registered in the FR for this Village (name and type of village) as follows (reads the whole of the relevant entry as it is recorded in the FR)?
  - (ii) Have you already voted in this election to elect an IIR for this Village (name of village)?
  - (iii) Have you already voted in this election to elect a RR for this Village (name of village)?

**NOTE:**

The person will not be issued with any ballot paper unless he has answered the questions to the satisfaction of the PRO [s 43(4) of the EP (VRE) Reg].

- (e) Where there is a reasonable cause to believe that a person who has applied for a ballot paper has engaged in impersonation, declare it to the PRO for appropriate action before that person leaves the polling station. This may possibly lead to the arrest of the person. The polling agent must however undertake in writing to substantiate the charge in a court of law [s 44 of the EP (VRE) Reg]. *[Amended in October 2004]*

*[Amended in December 2009]*

3.34 Inside a polling station, a polling agent **MUST NOT**-

- (a) Interfere with or attempt to influence any elector.
- (b) Speak to or communicate with any elector if the RO, the ARO, the PRO, or any polling officer has given direction to him not to do so, or interfere with or attempt to interfere with any ballot boxes, ballot papers, the marked copy of the register or other relevant election materials. In this regard, a polling agent should station within the designated area demarcated by red adhesive tape, and must not enter, or move close to, the restricted zone delineated with yellow tapes about one metre, or two metres if the configuration allows, around the voting compartments. Moreover, it is most improper for a polling agent to ask an

elector about his identity card number, let alone check an elector's identity card. *[Amended in October 2004]*

- (c) Attempt to obtain information, or disclose any knowledge acquired, concerning the vote of any elector. A polling agent should read and observe carefully the provisions governing the secrecy of voting issued with the form of Declaration of Secrecy.
- (d) Exhibit or leave or distribute any campaign material.
- (e) Without reasonable excuse, display any propaganda material, eg any badge, emblem, clothing or head-dress which:
  - (i) may promote or prejudice the election of a candidate or candidates at the election; or
  - (ii) makes direct reference to a body any member of which is standing as a candidate in the election or to a political body in Hong Kong.
- (f) Use a mobile telephone or any telephone or paging machine or any other form of electronic communication device if the RO, the ARO, the PRO, or any polling officer has given direction to him not to do so. *[Amended in October 2004]*

[S 38 of the EP (VRE) Reg.]

3.35 A polling agent must not misconduct himself in or in the vicinity of a polling station or fail to obey any lawful order of the RO or the PRO; otherwise he commits an offence punishable with a fine and imprisonment and may be ordered by such officer to leave the area. If he fails to leave immediately, he may be removed by:

- (a) a police officer if the polling station is not a dedicated polling station;
- (b) an officer of the CSD or other law enforcement agency if the polling station is a dedicated polling station; or
- (c) any other person authorised in writing by the RO or the PRO to remove him.

The person so removed may not re-enter the polling station on that day except with the permission of the RO or the PRO [s 38 of the EP (VRE) Reg]. *[Amended in December 2009]*

## Other Useful Information for Polling Agents

3.36 Most of the persons admitted to a polling station will be wearing identifications (eg badges). Candidates, their election agents and polling agents will be required to wear an identification device issued by the RO or PRO for identification. If in doubt, a polling agent may enquire with the PRO as to the identities of the persons inside the polling station. No attempt, however, should be made to obtain information as to the identity of any elector who is about to vote or has voted. [S 37 of the EP (VRE) Reg.] *[Added in October 2004]*

3.37 There may be electors with a disability who have been permitted to vote in the polling station specifically designated for the village for the purpose. Candidates or their agents can make inquiries with the RO for information. *[Added in October 2004]*

3.38 Only the PRO, the Deputy PRO or an Assistant PRO may, in the presence of one of the polling officers as a witness, help an elector who claims he is unable to read or write or incapacitated by visual deficiency or other physical cause to mark a ballot paper to indicate the choice of the elector [s 49(1) of the EP (VRE) Reg]. The responsible officer should inform the candidates or their agents who are present when such a request for assistance is received. A candidate or his polling agent in the polling station may request the PRO, the Deputy PRO or an Assistant PRO to choose a particular polling officer who is not working at the issuing counter as the witness, but the final decision as to which polling officer should be the witness remains with the PRO, Deputy PRO or Assistant PRO. An incapacitated elector's relative, friend or any other person is in no circumstances allowed to accompany the elector in the course of voting. *[Amended in October 2004]*

3.39 In each polling station a number of **templates** are made available for the use of the visually impaired elector, if he chooses, to facilitate him to mark his vote on the ballot paper [s 49(2) of the EP (VRE) Reg]. The template contains the following features-

- (a) the template for each Village is of the same width and length as the ballot paper;
- (b) the template contains embossed numbers or numbers in Braille starting with the first numeral (or code + numeral) in a sequence assigned to the candidates on the top followed downwards by other numerals in that sequence, and on the right hand side against each of the number is a round hole;
- (c) the **left hand top corner** of the ballot paper and the template is cut so as to enable the elector to place the template on top of the face of the ballot paper in the proper direction; and

- (d) when the template is placed properly on the ballot paper, each embossed number or number in Braille corresponds with the candidate number and each of the holes on the template corresponds with the circle on the ballot paper against the candidate number. The number of candidates in the Village equals the number of holes under which there is the ballot paper.

The choice of candidate is made by the visually impaired elector by pressing the chop with a “✓” sign provided on the circle, (through the holes on the template) against the candidate’s number.

3.40 No person may canvass or display any election propaganda material, eg any badge, emblem, clothing or head-dress, relating to any candidates or the election within a polling station. Candidates and their agents should not bring electioneering literature into the polling station or leave them there and should remove any promotional badges and emblems before entering. A person must not use a sound amplifying system or device for any purpose within the NCZ; nor should he use such system or device or conduct any activities (eg lion dance), for canvassing, so that the sound emitted by it can be heard in the NCZ. Also a person must not stay or loiter in the NSZ without the express permission of the PRO. [S 35 of the EP (VRE) Reg.] Any person who undertakes photographing, filming and video or audio recording within a polling station without the express permission of the PRO, or the RO for the village, or a member of the EAC, commits an offence and will be liable to a fine at level 2 (up to \$5,000) and imprisonment for 6 months [s 38(4) and 89(2) of the EP (VRE) Reg]. Normally such permission is only granted to members of the media or government photographers for publicity purposes. Polling agents should also read Part VIII of Chapter 1 to familiarise themselves with the polling arrangements. *[Amended in October 2006 and December 2009]*

3.41 If a candidate or his election or polling agent has any complaint about whatever happens inside a polling station, he should follow the procedures laid down in the guide on procedures for complaint at a polling station (together with telephone numbers of the relevant RO(s) and the Registration and Electoral Office (“REO”) Complaints Hotline) which is available for inspection inside each polling station. [See Part IV of Chapter 17 on Complaints Procedure.]

## **PART V : COUNTING AGENTS**

### **Appointment**

3.42 A candidate may appoint not more than such number of counting agents as will be specified by the RO to attend at the count at a counting station and for each ballot paper sorting station to observe the sorting of ballot papers



received from dedicated polling stations [ss 2(1), 56(1) and (2) of the EP (VRE) Reg]. The same persons may, but need not, be appointed also as polling agents. *[Added in October 2004 and amended in December 2009]*

3.43 The appointment should be made on a specified form [ss 2(1) and 56(5) of the EP (VRE) Reg]. The candidate must give notice of such appointment in writing to the RO at least three working days before the polling date [ss 2(1) and 56(10) of the EP (VRE) Reg]. Where a candidate appoints a counting agent after the above deadline, the notice of the appointment must be given by the candidate or the election agent **personally** by delivering the notice of appointment to the RO (or any ARO) during the period from the commencement of the poll to the conclusion of the count or the completion of the sorting of ballot paper as the case may be, but before the agent concerned enters the counting zone of the counting station or the ballot paper sorting station [ss 2(1) and 56(10) of the EP (VRE) Reg]. The appointment will not be effective until the notice of appointment is received by the RO [ss 2(1) and 56(9) of the EP (VRE) Reg]. *[Amended in December 2009]*

### **Revocation**

3.44 The appointment of a counting agent may be revoked by the candidate at any time. The candidate must also give notice of revocation in writing and in the specified form to the RO [ss 2(1), 56(6) and (7) of the EP (VRE) Reg]. A revocation of an appointment of a counting agent will not be effective until the notice thereof is received by the RO [ss 2(1) and 56(9) of the EP (VRE) Reg]. If a counting agent passes away or has his appointment revoked, the candidate may appoint another counting agent. In such a case, the candidate must give notice of the replacement appointment in the specified form to the RO [ss 2(1), 56(5), (8) and (9) of the EP (VRE) Reg]. *[Amended in December 2009]*

### **Role of a Counting Agent**

- 3.45 Counting agents are appointed to attend at :
- (a) the counting stations to observe the breaking of the seals on the ballot boxes, the sorting, separation and counting of ballot papers and the counting of votes recorded on the valid ballot papers; or
  - (b) the ballot paper sorting stations to observe the breaking of the seals on the ballot boxes received from dedicated polling stations and the sorting of the envelopes in the ballot boxes which contain ballot papers cast at the dedicated polling stations.

This arrangement ensures the transparency of the counting and sorting process and is conducive to openness and fairness. [See Part IX and X of Chapter 1: General Information.] *[Amended in December 2009]*

## **Provisions which the Counting Agents should be Aware of**

3.46 Before the counting of votes or sorting of ballot papers commences, every person authorised to be present at a counting station or a ballot paper sorting station, other than the police officers and members of the Civil Aid Service on duty, must make a Declaration of Secrecy on a specified form and observe the provisions governing the secrecy of voting [s 81 of the EP (VRE) Reg]. This is to make sure that, subject to penalty of making a false declaration, all persons inside a counting station or a ballot paper sorting station will observe the secrecy of the vote of the elector and, in particular, not to divulge which elector has voted for which candidate. Members of the public present within the area designated by the PRO or RO will not be required to make a Declaration of Secrecy. *[Added in October 2004 and amended in December 2009]*

3.47 On attending the counting station or the ballot paper sorting station, a counting agent shall report to the relevant RO or ARO as the case may be and produce his identity card and the Declaration of Secrecy completed by him for inspection [ss 2(1) and 81(1) of the EP (VRE) Reg]. *[Amended in December 2009]*

3.48 Generally speaking, counting agents are entitled to be present throughout the count to observe the counting proceedings. They will be allowed by the Counting Supervisor or RO to stay close to, and round the counting tables to monitor the count. Nonetheless, they must not handle any ballot papers. A counting agent in a counting station may:

- (a) observe the opening of the ballot boxes for the relevant Village by the RO or AROs.
- (b) inspect any papers other than ballot papers taken from the ballot boxes before they are disposed of.
- (c) observe the conduct of the count by Counting Officers including how individual votes are counted.
- (d) observe, where he wishes, the packing of ballot papers by the Counting Officers and the RO at the conclusion of the count.

*[Amended in October 2004 and December 2009]*

3.49 A counting agent in a ballot paper sorting station may:

- (a) observe the opening of the ballot boxes received from dedicated polling stations;

- (b) inspect any papers other than the envelopes, which contain cast ballot papers, taken from the ballot boxes before they are disposed of;
- (c) observe the counting of the envelopes, which contain cast ballot papers, in each ballot box;
- (d) observe the sorting of the aforesaid envelopes according to each Village; and
- (e) observe the sealing of the receptacles containing the sorted envelopes before they are delivered to the ROs of the respective counting stations.

*[Added in December 2009]*

3.50 A counting agent **MUST NOT** :

- (a) handle, separate or arrange ballot papers or envelopes; and
- (b) misconduct himself in or in the vicinity of the counting zone of a counting station or a ballot paper sorting station, or fail to obey any lawful order of the RO, otherwise he commits an offence punishable with a fine and imprisonment and may be ordered by the RO to leave the area. If he fails to leave immediately, he may be removed by a police officer or by any other person authorised in writing by the RO to remove him. The person so removed may not re-enter the counting station or the ballot paper sorting station or its vicinity except with the permission of the RO [ss 2(1) and 59(7) of the EP (VRE) Reg].

*[Amended in December 2009]*

### **Other Useful Information for Counting Agents**

3.51 Counting agents should read Part IX and Part X of Chapter 1 to familiarise themselves with the arrangements for sorting of ballot papers and counting of votes. *[Amended in December 2009]*

## CHAPTER 4

### ELECTION ADVERTISEMENTS

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- Part I : General
- Part II : Period and Area of Display
- Part III : Allocation of Designated spots
- Part IV : Conditions and Limitations on Display
- Part V : Serial Numbering, Declarations and Copies
- Part VI : Requirements Relating to Printed Election Advertisements
- Part VII : Non-compliance and Consequences
- Part VIII : Advertisements of Political, Professional/Trade Bodies or Other Organisations
- Part IX : Posting Election Advertisements
- Part X : Election Advertisements for Registered Electors in the Custody of CSD and Other Law Enforcement Agencies

#### **PART I : GENERAL**

- 4.1 An election advertisement, in relation to the VR election, means:
- (a) a publicly exhibited notice; or
  - (b) a notice delivered by hand or electronic transmission; or
  - (c) a public announcement made by radio or television or by video or cinematographic film; or
  - (d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election [s 2 of ECICO].

#### **IMPORTANT:**

“Candidate” includes a person who has publicly declared an intention to stand for election at any time before the close of nominations for the election whether or not he has submitted a nomination form [s 2 of the ECICO].

- 4.2 An election advertisement includes the following if it is published for the purpose of promoting or prejudicing the election of any candidate in the election:

- (a) Any address, notice, bill, placard, poster, board, banner, flag, standard, colour, sign, message, sound, image or picture and any article, thing or material.
- (b) Audio/video cassette tapes, discs, diskettes, electronic messages, websites (except those discussion forums on websites), facsimile transmissions, balloons and emblems. *[Amended in October 2006]*
- (c) Any things or materials published by any person or any organisation, including political organisation, professional or trade organisation, owners' corporation, mutual aid committee, tenants association, owners' committee, etc (irrespective of whether or not the candidate concerned is its officer or member) showing his or its support for any candidate or advertising the platform or services of such an organisation with reference to a candidate by name or photograph or in any other form or manner.

4.3 An election advertisement also includes:

- (a) Publicity materials containing the name or photograph of a candidate issued or displayed during the election period (ie from the commencement of the nomination period to the polling day of the election) even though the content of the publicity material is not, on the face of it, election related. Examples include surveys, questionnaires, posters publicising functions like vegetarian meal, tours, courses, offer of free legal or medical or other professional service, etc; and *[Amended in October 2004]*
- (b) any printed performance report published or distributed **during** the election period by-
  - (i) a serving Member of the Legislative Council (“LegCo”);  
or
  - (ii) a serving member of a District Council (“DC”); or
  - (iii) a serving member of the Heung Yee Kuk; or
  - (iv) a serving Chairman or Vice-Chairman or member of the Executive Committee of a Rural Committee; or
  - (v) a serving Village Representative,

who is running as a candidate for the election. These persons are termed “incumbent candidates” under the ECICO. A performance report means a document giving details of activities organised, services rendered or work done by such an incumbent candidate. [Ss 33 and 34(9) of the ECICO.]

*[Amended in October 2006]*

4.4 A performance report whether in the format of a website or a printed document published or distributed by an incumbent candidate during or **before** the election period will also be regarded as an election advertisement **if it is published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election.** It is important to note that a performance report which is treated as an election advertisement must comply with all the requirements for an election advertisement. *[Amended in February 2005]*

4.4a If the incumbent members distribute performance reports before they submit their nomination forms or publicly declare their intention to stand as candidates, they are **not** candidates at the time when their performance reports are being distributed. On such basis, the expenditure incurred in the distribution of such reports before the submission of nomination or public declaration of their intention to stand as candidates would not be counted as his election expenses. *[Added in October 2004]*

4.5 A candidate in an election may put up and display election advertisements in accordance with these guidelines which summarise the relevant law and regulations.

#### **Election Advertisements Prejudicing the Election of a Candidate**

4.5a There are occasions that candidates or a third party may publish election advertisements for the purpose of prejudicing the election of a candidate at the election. The concept of “promoting” and “prejudicing” the election of someone can be relative. To publish a document which is designed to persuade electors not to vote for one candidate would have the effect of improving the chances of success of other candidate(s) and could therefore be said to promote the latter’s election.

- (a) If candidate A criticises candidate B in his own election advertisements with a view to prejudicing B’s candidature at the election, candidate A has to include the expenditure incurred in his election expenses.
- (b) If a third party criticises candidate B in an election advertisement and that the election advertisement has the effect of indicating support for candidate A, that person must obtain candidate A’s prior consent for incurring the production expenses before he produces that election advertisement. The expenditure incurred will have to be included in candidate A’s election expenses.
- (c) If the third party publishes an election advertisement as described in (b) above without the prior consent of candidate A, he will be breaching s 23 of the ECICO as only a candidate or a person who has been duly authorised by a candidate as his election expense

agent may incur election expenses. The election advertisement should be regarded as the election advertisement for candidate A. It would only be fair to candidate A that the third party needs to obtain candidate A's consent before publishing such election advertisement since candidate A is ultimately responsible for his own election expenses. It would also prevent candidate A from circumventing the law by asking the third party to publish materials prejudicing candidate B without having to account for the expenses of those materials.

*[Added in October 2004]*

4.5b Materials published by any person, including a candidate, for the purpose of prejudicing a candidate or candidates are treated as election advertisements, if reference could be made from the materials to identify the candidate(s) being prejudiced. *[Added in October 2004]*

4.6 The **election expenses** allowed by law to be incurred by a candidate include the expenses he incurs for the preparation and publication of election advertisements, and he should therefore be careful in planning how much he should spend on this score. [For the definition of election expenses, see s 2 of the ECICO.]

4.7 Subject to the maximum amount that can be incurred by a candidate for election expenses [s 24 of the ECICO], there is no restriction as to the quantity of election advertisements employed by him. The maximum amount allowed for the VR election is specified in the Village Representative Election (Maximum Amount of Election Expenses) Regulation.

4.8 A candidate must ensure the correctness and accuracy of all factual statements in his election advertisements. [For criminal sanctions, see ss 25, 26 and 27 of the ECICO.]

## **PART II : PERIOD AND AREA OF DISPLAY**

4.9 With the necessary **written permission or authorisation**, a candidate may display election advertisements on Government or private land and property [s 104A of the Public Health and Municipal Services Ordinance (Cap 132) and s 4 of the Land (Miscellaneous Provisions) Ordinance (Cap 28)].

4.10 Display spots are classified into two types:

- (a) **designated spots** which are spots on government land/property and sometimes even on premises owned or occupied privately that have been made available to the Government for allocation to candidates; and

- (b) **private spots** which are spots on private land/property in respect of which written permission or authorisation for display has been obtained from the owner or occupier concerned by the candidate himself.

### **Government or Private Land/Property - Designated Spots**

4.11 RO may designate spots, if any, on government land for the use of contested candidates to display their election advertisements, if he thinks fit. Some of the government land and property have been allocated to some public authorities, such as the Housing Authority, and are under their respective control. The RO may designate public spots in coordination with the said authorities, if he thinks fit. Each candidate will be as far as practicable allocated **the same number of designated spots**. *[Amended in October 2004]*

4.12 Prospective candidates as well as political organisations are welcome to suggest locations of display in which they are interested. The ROs concerned will take into consideration such suggestions in drawing up the list of “**designated spots**”, with absolute discretion to decide whether to adopt the suggestions.

#### **NOTE :**

Suggestions should reach the DHA not later than **6 weeks before the polling day**. *[Amended in October 2004]*

### **Other Land/Property : Private Spots**

4.13 Candidates who wish to display their election advertisements on land/property other than government land/property and other than the designated spots must obtain the **prior written permission or authorisation** of the owner or occupier [s104A of Cap 132]. The obtaining of written permission or authorisation from the private owner or occupier is a matter for private arrangement between the candidate and the owner or occupier, and they are therefore called “**private spots**”. Any consideration, fee or money incurred or agreed to be paid by or on behalf of the candidate to the owner or occupier for display of his election advertisements forms part of his election expenses. If a commercial advertising space for rent is allowed by the private owner or occupier to be used free of charge by a candidate for display of his election advertisements, a reasonable market value for the use of that space will have to be accounted for by the candidate as an election donation and counted as election expenses. Such a provision is to ensure that the candidate concerned will not have unfair advantage over the others who do not have access to such facilities. If the private spot for displaying the election advertisement is normally used for commercial purpose, the actual rent charged or the usual rent or market rent that would normally be charged should be



counted as the election expenses of the candidate concerned, irrespective of whether it is owned by the candidate or whether the owner of it allows the candidate to use it free of charge (in which case it would be a donation of the rent). Where a space provided by a particular private owner or occupier for a candidate to display election advertisements is not used for commercial advertising, but similar space belonging to other owners or occupiers is available for commercial advertising, the market value of the space should also be accounted for. The provision of this kind of rent-free space should be regarded as donation. For details on how the estimated value should be assessed, please refer to para. 12.21 of Chapter 12. If a space is not normally used by any private owners or occupiers for commercial advertising, there is no need for the candidate to account for its value. A copy of the relevant written permission or authorisation must be deposited with the RO for the relevant Village before display. [Also see para. 4.17. ] *[Amended in October 2004]*

4.14 The EAC appeals to owners and occupiers of private premises to give all candidates competing in the same Village **fair and equal treatment** in the display of election advertisements. [For details, please see Chapter 8: Electioneering at the Living or Working Places of Electors, Premises of Organisations to which Electors belong and Buildings which Electors Frequent.] *[Amended in October 2004]*

4.15 Candidates should note that public corporations (eg Mass Transit Railway Corporation) may have their own rules for the display of election advertisements in properties under its management. *[Amended in December 2009]*

### **General Principle in Allocating Designated Spots**

4.16 The RO will allocate the designated spots, if any, to contested candidates either in accordance with the mutual consent of the contested candidates or by the drawing of lots after the close of nomination, when the number of candidates contesting will have been ascertained. **No display of election advertisements will be allowed on any designated spots before the allocation.** [Also see the requirements in para. 4.22 and Part V below.]

### **Written Permission or Authorisation**

4.17 The relevant RO(s) will have already obtained prior approval from the relevant authorities under s 104A of Cap 132 and s 4 of Cap 28 for candidates to display their election advertisements at designated spots. Immediately after the allocation of designated spots is made, a copy of the necessary written permission or authorisation under the relevant legislation will be provided to the candidates by the RO [see Part III below]. For any display on private premises, written permission or authorisation of the private owner or occupier will have to be obtained by the candidates themselves. A person displaying an election advertisement without the necessary written permission

or authorisation commits an offence punishable by a fine of up to \$10,000 and, where the offence is a continuing offence, by an additional daily penalty of \$300 for each day during which it is proved to the satisfaction of the court that the offence has continued [s 104A of Cap 132]. The fines so incurred will also be treated as election expenses. **A copy of the written permission or authorisation must be deposited by the candidate with the RO before display or distribution** [s 88(1)(d) of the EP (VRE) Reg].

### **No-Display Areas**

4.18 No election advertisement may be displayed within the boundaries of a polling station (including the outer walls of the premises) or within any NCZ [see Chapter 10: Prohibition Against Canvassing Activities Outside Polling Stations], except for static displays that are authorised by the RO or the PRO of the relevant polling station. Where there are private premises situated within the NCZ, the ROs should issue a notice in advance to all the candidates in the villages concerned asking them to remove all of their election advertisements, if any, posted up at the private premises within the NCZ which can be seen by electors on their way to the polling stations on the polling day. If the candidates fail to remove the election advertisements as requested by the ROs, the ROs may issue a warning to them to remove the offending election advertisements immediately. If the candidate fails to do so, the EAC may issue a censure or reprimand. The RO will provide the candidate with one set of sketch maps or plans showing the boundaries of all polling stations and all NCZs outside those polling stations. *[Amended in October 2004]*

4.19 Election advertisements on display must not distract motorists or interfere with the sight lines of motorists and pedestrians, obscure any traffic sign or traffic light signal, or obstruct the circulation of pedestrians. Thus, there will be no public spots or designated spots on or over flyovers, bridges including footbridges, lamp posts, road signs and railings at corners of road junctions or at or near pedestrian crossings, bus stops and bus termini.

### **PART III : ALLOCATION OF DESIGNATED SPOTS**

4.20 If the RO thinks fit, he may make known to each contested candidate at the time of receipt of the nomination form the following information:

- (a) The general locations of the designated spots, which may include unleased Government land and land and premises controlled by the Housing Department and the Hong Kong Housing Society, and privately owned premises available for allocation to the candidates for a particular Village. The size and number of spots for allocation will be finalised by the RO, taking into

account the number of contested candidates in the Village, **after** the close of nomination. In order to allow all contested candidates to display their election advertisements at all locations, particularly popular ones, the size of each spot may vary from location to location. *[Amended in October 2004]*

- (b) The date and time for conducting the allocation of designated spots, which would normally be held within three days following the close of nomination. The RO will invite representatives from the relevant authorities relating to government land/property, save those who have already given a blanket approval, to be present to give the necessary written authorisation for the spots allocated.

4.21 The RO(s) for the Village(s) will need to know the exact number of candidates who wish to display election advertisements at designated spots, so that he can finalise the number of designated spots and their size for allocation. Therefore, candidates concerned should contact the relevant RO to register their interest immediately after they have submitted their nomination forms.

4.22 Designated spots are allocated by agreement of the representatives of all the contested candidates or by the drawing of lots. After allocation of the spots and the necessary authorisations have been obtained from the relevant authorities [s 104A of Cap 132 and s 4 of Cap 28] and after complying with the requirements set out under Part V, the candidate may display election advertisements at such spots allocated to him.

4.23 A copy of all the permissions or authorisations obtained by a candidate himself, as opposed to those provided to him by the RO, must be provided by him to the relevant RO before the display or distribution [s 88(1)(d) of the EP (VRE) Reg]. *[Amended in October 2004]*

4.24 Designated spots allocated are not transferable. Nor are they exchangeable with other spots. Where a candidate informs the RO that he no longer wishes to use one or more of such designated spots allocated to him, upon request by any other candidate of the same Village, the RO will re-allocate by agreement or by the drawing of lots the designated spots amongst all candidates of the Village except the one first mentioned. In such a case, paras. 4.22 and 4.23 above apply.

**NOTE :**

In some cases, designated spots allocated in the first round of allocation are left unused for various reasons. The RO may re-allocate such spots to the relevant candidates by mutual

consent or the drawing of lots. Candidates may wish to plan accordingly their resources in respect of election advertisements.

4.24a Authorisation to display will generally not be given to a candidate in respect of spots outside the village in which he stands, save in exceptional circumstances, as directed or decided by the DHA. The DHA may in principle agree to display outside a particular village generally or upon application by a candidate. A candidate who wishes to apply for display outside his village should write to the DHA to state the reasons for his application as soon as possible after his nomination paper has been handed in, so that (if the DHA agrees in principle) there may be sufficient time for the RO for the village to include spots outside the village in an allocation exercise. *[Added in October 2004]*

4.25 An election advertisement advertising two or more candidates is allowed to be displayed on the designated spots allocated to the candidates concerned. Nevertheless, it is important to ensure that the total number of spots as well as the total area of all the spaces actually occupied for joint advertisements and for advertising each one of the joined candidates (ie measured by the dimension of election advertisements) do not exceed the total number of spots as well as the total area of the designated spots allocated to each of the candidates. Through joint advertisement, the candidates concerned promote themselves at the election, and so each of the candidates would benefit from the joint advertisement. The expenses incurred for the joint election advertisements will have to be borne by the candidates concerned in equal or unequal shares as their respective election expenses, to be calculated by the proportion of the size of the portion advertising each [see also para. 14.6a of Chapter 14 : Namedropping]. In this connection, it is important to note that only a candidate himself or his election expense agent(s) may incur election expenses on his behalf [s 23 of the ECICO]. **Joint election advertisements should not, however, be displayed in the common parts of private premises**, in order to prevent confusing electors or causing them to make mistakes as to the identity of the candidates and to prevent dilution of the principle of fair and equal treatment of candidates. *[Amended in October 2004]*

## **PART IV : CONDITIONS AND LIMITATIONS ON DISPLAY**

### **Name of the Village**

4.26 To avoid possible confusion to electors, election advertisements of all candidates of the Village must bear the name of the Village for which the candidate concerned is standing. Similarly, in respect of joint election advertisements, the name of the Village should be stated clearly in relation to each of the candidates advertised.

4.26a Likewise, all candidates should make known to the electors the name of their respective villages when they conduct joint canvassing activities. *[Added in October 2004]*

### **Re-use of Old Publicity Boards**

4.27 A candidate may re-use old publicity boards used at a previous election. However, any information in relation to the previous election, eg the candidate number, name of Village, party affiliation and names of persons who supported the candidate at that election, should be fully obliterated before any old publicity board is re-used. This would not only avoid confusion to electors but would also help the candidate avoid laying himself open to allegations of false claim of support of persons who might not have consented to support him at the current election. The cost incurred in refurbishing the old publicity boards will be counted towards the candidate's election expenses.

### **Size**

4.28 Election advertisements displayed at railings and fences must not exceed the height and length of these structures, and in no circumstances be more than 1 metre high and 2.5 metres long.

### **Mounting and Installation**

4.29 The mounting and display of election advertisements must not cause any risk to life or property.

4.30 Permanent fixing devices, such as nails or insoluble glue, should not be used.

4.31 Use “tie-on” posters (rather than “stick-on” posters) to facilitate subsequent removal.

4.32 Do not stick posters on painted or varnished surfaces as their subsequent removal will cause damage or leave irremovable marks. *[Amended in October 2006]*

4.33 Do not erect any structure on pavements, eg nailing boards to the ground.

4.34 Owners or occupiers of a property including a Government authority may specify the way in which election advertisements are to be displayed, and may require an indemnity against any claim or damage arising from the display of such materials.

## **Dismounting**

4.35 All candidates should remove all their election advertisements displayed on government land/property **within ten days** following an election. Failure to do so may result in prosecution being brought against the offending candidate and such advertisements removed and seized by the relevant authority. The **cost of removal** will be recovered from the candidate concerned and will be construed as **election expenses**. Relevant authorities will issue demand notes for the removal costs to the candidates concerned within 21 days after the election results have been published in the Gazette (normally the Friday after the polling day). This is to allow sufficient time for the candidates to include all these costs in their election returns which must be submitted not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law [s 37 of the ECICO]. *[Amended in October 2006]*

## **PART V : SERIAL NUMBERING, DECLARATIONS AND COPIES**

### **Serial Numbering**

4.36 Save where the exemption applies, all copies of each type of all election advertisements intended to be displayed or distributed by a candidate must be marked distinctly and legibly on the face with **consecutive serial numbers** starting from “1” [s 88(1)(a) of the EP (VRE) Reg]. Printed materials are exempted from the requirement of serial numbering if each of them: *[Amended in October 2004]*

- (a) is of or smaller than A4 size, ie 30 cm x 21 cm;
- (b) is contained in a single sheet of paper; and
- (c) bears upon it the printer’s name and address, number of copies printed and date of printing.

Examples of the above may include handbills, leaflets and simulated ballot papers. Election advertisements printed in a registered local newspaper/magazine or sent to electors through mail or transmitted by electronic means (eg facsimile, electronic mail, computer network, electronic display boards) and balloons, or of such other class or types as the EAC may specify by notice published in the Gazette are exempted from the requirement of serial numbering [s 88(5) of the EP (VRE) Reg]. *[Amended in October 2006]*

4.37 The size of the number marked on each type of election advertisements which are not larger than 60 cm x 42 cm (A2 size) must not be smaller than 2 cm in diameter, and the size of the number marked on those which are larger must not be smaller than 4 cm in diameter.

### **Declarations**

4.38 **Before the display, distribution or otherwise use of any election advertisement**, a candidate must make a **declaration in a specified form** to the RO for the Village (or to the DHA, if the RO has not yet been appointed) declaring the **quantity**, with the **serial numbers** (save those covered by the exemption referred to in para. 4.36 above), of each type of all election advertisements intended to be displayed and **the date of printing/publication**. Such declaration should also show all the **intended places** of display (designated spots or private spots) which may be identified by reference to the permissions or authorisations obtained by the candidate. [S 88(1)(b) of the EP (VRE) Reg]. A candidate can submit as many declarations as circumstances may from time to time require. A candidate must ensure the correctness and accuracy of all the details contained in his declarations. *[Amended in October 2004]*

4.39 Where an election advertisement is to be distributed by facsimile transmission and where the exemption referred to in para. 4.36 applies, it will not be necessary to state the serial numbers in the declaration. Only the quantity of that election advertisement is to be stated in the declaration.

4.39a A candidate must ensure that every time the contents of his website are changed or updated, he must make a new declaration to the RO and deposit 2 copies of the modified pages with the RO accordingly [see also para. 4.40(a)(iii) below]. *[Added in October 2004]*

### **Copies**

4.40 **Before the display, distribution or otherwise use of any election advertisement**, any person, including a candidate must deposit with the RO or with the DHA if the RO has not yet been appointed: *[Amended in October 2004]*

- (a) in respect of election advertisements
  - (i) two copies of all printed advertisements bearing in Chinese or English, the name and address of the printer together with the date of printing and the number of copies printed (“printing details”),
  - (ii) two identical copies of any video/audio tapes or discs or diskettes containing election advertisements,

- (iii) two copies of any electioneering message sent by electronic means (including 2 copies of any modified webpages if the contents of the website are changed or updated), and *[Amended in October 2004]*
- (iv) two identical postcard sized colour photographs of each type of election advertisements which cannot be practically or conveniently photocopied;

[s 88(1)(c) of the EP (VRE) Reg]

For the avoidance of doubt, for printed election advertisements, by depositing 2 copies with the relevant RO prior to the display, distribution or otherwise use of such election advertisements as stated above, the candidate would have complied with **both** the requirement in s 88(1)(c) of the EP (VRE) Reg (which requires prior deposit) and that in s 34(4) of the ECICO (which requires deposit not later than 7 days after publication). Details of the relevant section in the ECICO and the reasons for the two different requirements under the two legislation are provided in paras. 13.13-13.14 of Chapter 13. *[Added in October 2006]*

(b) in respect of permissions or authorisations for display

a copy each of all permissions or authorisations for display given or obtained for the purposes of s 104A of Cap 132 [s 88(1)(d)(i) of the EP (VRE) Reg]; and

(c) in respect of consent of support

a copy each of all consent of support referred to in s 27(1) or (2) of the ECICO, as the case may be [s 88(1)(d)(ii) of the EP (VRE) Reg].

4.40a If a candidate has difficulty in depositing with the RO for his village an original copy of a declaration and 2 copies of an election advertisement before its display, distribution or otherwise use, he may first send to the relevant RO by fax the declaration together with a copy of each election advertisement or by e-mail with an image or digital photo of each election advertisement. The candidate should ensure any submissions sent by fax or e-mail should reach the relevant RO properly. The candidate must, within 24 hours during weekdays (ie Monday to Friday) or within 48 hours during weekends (ie Saturday to Sunday) after sending the fax or e-mail, submit to the relevant RO the original copy of the declaration form and 2 copies of each such election advertisement. *[Added in October 2006]*

4.40b Speeches orally delivered by a candidate during election meetings or ad hoc visits will not be treated as election advertisements unless copies of the speech are provided to the audience or media. If the candidate



would like to create certain impact by talking first before providing copies of the speech to the audience or media, he could, after delivering the speech, send a copy of the speech, together with the declaration, to the RO by fax or e-mail prior to distributing them to the audience or media. The candidate should ensure proper submissions by fax or e-mail to the relevant RO. The candidate must submit to the relevant RO the original copy of the declaration form and 2 copies of each speech within 24 hours during weekdays (ie Monday to Friday) or within 48 hours during weekends (ie Saturday to Sunday) after sending the fax or e-mail. Since copies of the speeches distributed to the audience in the circumstances above-stated serve to promote the candidate's election, they are regarded as EAs. The candidate concerned is required to comply with S.34 of the ECICO in publishing the speech. *[Added in October 2006]*

4.40c In the rare circumstances where candidates contesting different villages use identical copies of an election advertisement, the RO of the relevant village may exercise his discretion to accept a joint declaration by all the candidates concerned and a joint submission of two copies of the election advertisement. *[Added in October 2004]*

4.41 Where a Declaration of Election Advertisements under s 88 of the EP (VRE) Reg by a candidate and deposited with the relevant RO contains a mistake or where the candidate's declared intention as to the number of any type of election advertisements to be displayed or the location of display, etc has changed, the candidate should make a corrective declaration to correct the mistake or record his changed intention. All such corrective declarations must be deposited with the relevant RO at the **latest by 12 noon on the day preceding the polling day**. If no corrective declaration has been so deposited, then the Declaration of Election Advertisements will be used as one of the bases for examining and checking the candidate's Return and Declaration of Election Expenses and Donations, and as the basis for removal of unauthorised or offending displays.

4.42 No election advertisements shall be displayed apart from those referred to in the declarations made by the candidate and as shown by the copies or on the photographs.

4.43 A candidate must not display his election advertisements other than at the places set out in his declaration.

4.44 The RO will make available a copy of the declarations, election advertisements, photographs, tapes, discs, permissions or authorisations and consent at a specified address for inspection by the public as soon as practicable after such documents and photographs have been furnished until the expiration of the same period as declarations of election returns lodged by candidates are available for inspection under s 41 of the ECICO, ie until the first anniversary of the date on which the result of the relevant election is

published, so that the two kinds of declarations can be checked and compared side by side [s 88(2) of the EP (VRE) Reg].

## **PART VI : REQUIREMENTS RELATING TO PRINTED ELECTION ADVERTISEMENTS**

### **Printing Details**

4.45 S 34 of the ECICO requires all printed election advertisements, with the exception of those printed in a registered local newspaper/magazine, to bear printing details ie they must bear, in Chinese or English, the name and address of the printer together with the date of printing and the number of copies printed. It applies to all materials reproduced by any method of multiplying copies (eg printing machines, duplicators or photocopiers). The following are some suggested formats:

(a) Printed by ABC Printing Works,  
XX XZY Street, HK  
on (date) in (number) copies

or

(b) Printed by own office machine  
XX XZY Street, HK  
on (date) in (number) copies

### **Election Advertisements Placed in Print Media**

4.46 Where an election advertisement is placed in the print media and takes the form of a news report or any other form which does not clearly show that it is an election advertisement, the words “Election Advertisement” or “選舉廣告” must be stated in the advertisement, to avoid misunderstanding by readers that it is not an election advertisement.

## **PART VII : NON-COMPLIANCE AND CONSEQUENCES**

### **Inadvertent Omission of Printing Details**

4.47 A candidate who has inadvertently omitted the printing details from his election advertisements can make a statutory declaration giving the omitted details, and deposit such declaration with the relevant RO **not later than seven days after** the publication of the offending election advertisement [s 34(3) of the ECICO]. Having taken this remedial step, he will not be prosecuted for contravention of s 34(1) of the ECICO. The statutory

declaration will be retained by the relevant RO for six months after the result of the election is published [s 34(7) of the ECICO].

### **Enforcement and Penalties**

4.48 A candidate who fails to provide the printing details or deposit copies of election advertisements with the relevant RO commits an offence punishable by a fine of \$200,000 and imprisonment for up to 3 years [s 34(6) of the ECICO]. However, he may apply to the court for an order allowing the publication of the above election advertisements be excepted from the relevant requirements and relieving the applicant from the penalties, provided that the court is satisfied that the non-compliance was due to inadvertence, an accidental miscalculation or any reasonable cause and was not due to bad faith [s 35 of the ECICO]. Non-compliance with the requirements of s 88(1) of the EP (VRE) Reg is punishable with a fine at level 2 and imprisonment for up to 6 months.

4.49 Each candidate must observe and comply with the conditions imposed by the permissions or authorisations for the display of election advertisements. Any election advertisements displayed in contravention of these guidelines will be removed and seized. Candidates and their supporters should report any non-compliance to the RO and should not take removal action themselves.

4.50 Any unauthorised or offending election advertisements displayed may be seized and disposed of, or destroyed, or covered with such materials by the relevant authorities as they think fit [s 88(3) of the EP (VRE) Reg]. The candidate or his election agent responsible may also be prosecuted and if convicted may be liable to a fine or imprisonment. The cost of removal, being a civil debt, will be counted as election expenses. Such civil debt must be reported to the relevant RO in the candidate's return and declaration of election expenses. The seized articles may be kept as evidence and will be disposed of or returned upon application, in accordance with the Public Health and Municipal Services Ordinance or the Housing Ordinance, as the case may be, and the procedures of the relevant authority. [S 104C of Cap 132 and s 6 of Cap 28.]

4.51 Each candidate must observe and comply with the conditions agreed between him and the owner or occupier of private land or property for the display of election advertisements, and any additional charges or damages that a candidate is liable to pay to the owner or occupier may be construed as election expenses.

4.52 Complaints should be made to the relevant RO. Upon complaints being received, the EAC may also issue public statements in such manner as it deems fit to censure or denounce any non-compliance with these

guidelines. Although a censure may be a further detriment to the candidate in addition to his liability for removal expenses and criminal liability, the EAC will not hesitate to publish one in an appropriate case.

## **PART VIII : ADVERTISEMENTS OF POLITICAL, PROFESSIONAL/TRADE BODIES OR OTHER ORGANISATIONS**

4.53 Any thing or material published by any organisation, including political organisation, professional or trade organisation, owners' corporation, mutual aid committee, tenants association, owners' committee, etc (irrespective of whether or not the candidate concerned is its officer or member) which advertises its platform or services during or **even before the election period with reference to the candidate** by name or photograph or otherwise may be treated as election advertisement put up by, or on behalf of, or on account of, the candidate. The expenses for doing so may be construed as election expenses incurred by or on behalf of the candidate. It is therefore a prudent step for the relevant organisations to suspend their advertising activities. However, if the material published by the organisation concerned, as opposed to the candidate himself, advertises only a particular activity, which:

- (a) is organised from time to time either as part of the organisation's normal functions, and/or according to the local tradition;
- (b) is not related to the election; and
- (c) does not explicitly or implicitly promote or prejudice the election of a candidate in the election,

then the appearance in the published material of the name and/or photograph of a candidate who is involved in organising the activity should not be regarded as an election advertisement. *[Amended in October 2004]*

4.54 It is an offence for anyone to incur election expenses unless he is a candidate or an election expense agent of a candidate [s 23 of the ECICO].

4.55 Candidates should protect their own interest by advising their political bodies or their organisations of these guidelines as soon as they have any intention or plan to run for an election.

4.56 To sum up the important points, where any organisation, including a political organisation, publishes an election advertisement promoting a candidate:

- (a) the expenses incurred will be treated as the candidate's own election expenses;

- (b) the officer-in-charge of the organisation needs to be authorised by the candidate to be the candidate's election expense agent, or else it or the responsible person commits an offence under s 23 of the ECICO;
- (c) such advertisement must comply with the requirements of s 34 of the ECICO and s 88 of the EP (VRE) Reg; and
- (d) such advertisement can only be displayed at the spots authorised to the candidate.

## **PART IX : POSTING ELECTION ADVERTISEMENTS**

4.57 A candidate sending election advertisements to electors through mail must pay postage. Please refer to the "Postage Rates and Services" leaflet of Hongkong Post (Pos 15) for details on postage and types of services.

4.58 To avoid delay or mis-delivery, the full postal address should be typed or legibly written on the front of the envelope in four rows as follows:

Name of address  
 Floor and flat no. and name of building  
 Street number, name of street  
 Name of district

4.59 The name of the candidate and other propaganda slogans, including photos, should appear on the back of the item or on the left hand half of the address side. The right-hand half of the front should be reserved exclusively for the address.

## **PART X : ELECTION ADVERTISEMENTS FOR REGISTERED ELECTORS IN THE CUSTODY OF CSD AND OTHER LAW ENFORCEMENT AGENCIES**

4.60 Candidates may send election advertisements to registered electors in the custody of the CSD and other law enforcement agencies according to their registered address or correspondence address (if any). For security reasons, the CSD has laid down a set of guidelines for sending election advertisements to registered electors in its custody at **Appendix K**. Candidates should adhere to these guidelines. *[Added in December 2009]*

4.61 Candidates may note that persons imprisoned or held in custody by the law enforcement agencies who are registered electors may access election-related information through the mass media in accordance with the existing policies of the law enforcement agencies on access to the mass media. *[Added in December 2009]*

## CHAPTER 5

### ELECTION MEETINGS

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- Part I : General
- Part II : Election Meetings in Public Places
- Part III : Election Meetings in Private Premises
- Part IV : Mobile Exhibitions
- Part V : Fund-raising Activities at Election Meetings

#### PART I : GENERAL

5.1 An **election meeting** is a meeting held to promote or prejudice the election of a particular candidate or particular candidates [s 12(5) of the ECICO]. For the avoidance of doubt, election forums organised for all candidates are not treated as election meetings [Part IV: Election Forums of Chapter 6]. During the election period, a candidate may attend any other meetings as part of his normal activities which are **not election-related**. Insofar as such meetings are **not** held for the purpose of promoting or prejudicing the election of a particular candidate or candidates, they will not be regarded as election meetings. *[Amended in October 2006]*

5.2 Expenses incurred before, during or after an election on account of an election meeting organised for any of the purposes stated above are **election expenses**. There may be cases where a meeting is not organised for any of the above purposes, but has nevertheless been used for such purposes by a candidate or any other person on his behalf. In that event, it will be for the candidate to assess the expenses which have been incurred for the said purposes. [S 2 of the ECICO.] The person who uses the meeting for promoting the candidate may also be liable for prosecution for his failure in obtaining the candidate's prior authorisation to appoint him as the candidate's election expense agent for incurring election expenses on behalf of the candidate [s 23 of the ECICO].

5.3 Candidates should refer to the part on "Treating" in Part IV of Chapter 13: Corrupt and Illegal Conduct, regarding the serving of drinks and meals at or incidental to an election meeting.

5.4 In addition to the election expenses incurred, candidates are responsible for the election meetings or public processions which they organise, including the keeping of order and safety, controlling noise level, cleanliness and other liabilities.

5.5 An election meeting may take place in a public place or in private premises. A public procession for election campaigning purposes is a form of election meeting, as is an exhibition organised with a view to promoting or prejudicing the election of a particular candidate or particular candidates.

5.5a Candidates are reminded that individual government departments and management authorities may have their own guidelines to allow or disallow the conduct of election meetings on the premises under their control. To ensure the smooth conduct of election meetings in public or private places, it is always desirable for the candidates to consult the relevant authorities concerned in advance and to obtain any requisite permission from them for the conduct of election meetings on the premises within their jurisdiction, if necessary. *[Added in October 2006]*

5.5b The requirements of the Hong Kong Police Force and the Housing Department/Hong Kong Housing Society with regard to the organisation of election meetings in public places and private premises within their jurisdiction are set out in paras. 5.6 – 5.18 for reference. *[Added in October 2006]*

## **PART II : ELECTION MEETINGS IN PUBLIC PLACES**

5.6 Any person who organises an election meeting in a public place must notify the Commissioner of Police in writing **not later than 11 am on the same day (if a general holiday, the first day preceding that day which is not a general holiday) of the week in the preceding week as the day on which the meeting is intended to be held** [s 8(1) of the Public Order Ordinance (Cap 245)]. “Public place” means any place to which for the time being the public or any section of the public are entitled or permitted to have access, whether on payment or otherwise, and, in relation to any meeting, includes any place which is or will be, on the occasion and for the purposes of such meeting, a public place [s 2 of Cap 245].

5.7 The written notification shall be **handed in** to the officer in charge of any police station. It should contain the following particulars:

- (a) the name, address and telephone number of the person organising the meeting, any society or organisation promoting or connected with the holding of the meeting and a person able to act, if necessary, in place of the organiser;
- (b) the purpose and subject matter of the meeting;
- (c) the date, location, time of commencement and duration of the meeting;

- (d) an estimate of the number of people expected to attend the meeting [s 8(4) of Public Order Ordinance (Cap 245)];
- (e) the number and names of persons proposed as platform-speakers for the meeting;
- (f) the sound amplification devices, if any, intended to be used at the meeting; and
- (g) the nature, form and contents of the advertisements, printed matter, posters or banners intended for publication, distribution or display in respect of the meeting.

A **form** of notification for a public meeting or procession together with notes provided by the police will be given to a candidate upon his submission of nomination. The police has advised that the use of the form will speed up processing time. *[Amended in October 2006]*

5.8 Notification to the Commissioner of Police of an election meeting is not required if the meeting is to be:

- (a) attended by not more than 50 persons; or
- (b) held in private premises where the number of persons attending will not exceed 500 persons; or
- (c) held in a school, college, university or other educational establishment with the approval of an accredited society or similar body of such school, college or educational establishment **and** consent of the governing body of the establishment concerned. *[Amended in October 2004]*

[S 7(2) of Cap 245.]

Where in doubt, a candidate should seek advice from the police.

5.9 The Commissioner of Police may prohibit the holding of any public meeting notified (referred to in paras. 5.6 and 5.7 above) where he reasonably considers such prohibition to be necessary in the interests of national security or public safety, public order or the protection of the rights and freedoms of others, and if so, he shall give notice of the prohibition to the person who gave the notification not later than 48 hours prior to the time of commencement of the meeting [s 9 of Cap 245]. On the other hand, the Commissioner of Police may give notice to the organisers and impose conditions for the meeting to take place, and the organisers must comply with such conditions and comply forthwith with any direction given by a police officer for ensuring compliance with or the due performance of the conditions and the requirements referred to in para. 5.10 below. [S 11 of Cap 245.] *[Amended in October 2004]*



- 5.10 At every public meeting:
- (a) there shall be present throughout the meeting either the organiser, or if he is not present, a person nominated by him to act in his place;
  - (b) good order and public safety shall be maintained throughout the meeting; and
  - (c) the control of any amplification device that is used in such a manner that it causes a noise that would not be tolerated by a reasonable person, shall, if so required by a police officer, be surrendered to the police officer for the duration of the meeting.

[S 11(1) of Cap 245.]

5.10a A guidance note on safe conduct of election-related activities, issued by the Commissioner of Police, is at **Appendix BI**. It serves as a general advice to candidates and organisers of election-related activities, to enable them to conduct such activities safely. *[Amended in October 2004]*

### **Public Processions**

5.11 A public procession for election campaigning purposes may be held without notification to the Commissioner of Police:

- (a) where it consists of not more than 30 persons; or
- (b) where it is held at a place other than a public highway, public thoroughfare or public park.

[S 13(2) of Cap 245.] *[Amended in October 2004]*

5.12 In all other cases, written notification of a public procession, including a vehicle procession, must be given by the person organising the procession to the Commissioner of Police (which may be handed in to the officer in charge of any police station) **not later than 11 am on the same day (if a general holiday, the first day preceding that day which is not a general holiday) of the week in the preceding week as the day on which the procession is intended to be held** containing the following information [s 13A(4) of Cap 245]:

- (a) the name, address and telephone number of the person organising the procession, any society or organisation promoting or connected with the holding of the procession and a person able to act, if necessary, in place of the organiser;

- (b) the purpose and subject matter of the procession;
- (c) the date, precise route, time of commencement and duration of the procession;
- (d) in respect of any meeting to be held in conjunction with the procession, the location, time of commencement and duration of the meeting; and
- (e) an estimate of the number of people expected to attend the procession.

The notification **form** mentioned in para. 5.7 above should be used.

5.13 The Commissioner of Police shall issue a notice of no objection for the public procession, or alternatively issue a notice of objection to the procession if he reasonably considers that the objection is necessary in the interest of national security or public safety, public order or the protection of the rights and freedoms of others. If the Commissioner of Police so objects to the public procession, he shall issue a notice of objection to the organiser not later than 48 hours before the commencement time of the procession, otherwise he is taken to have issued a notice of no objection for the public procession. The Commissioner may give notice to the organisers and impose conditions for the procession to take place, and the organisers must comply with such conditions and comply forthwith with any direction given by a police officer for ensuring compliance with or the due performance of the conditions and the requirements referred to in para. 5.14 below. [Ss 14 and 15 of Cap 245.] *[Amended in October 2006]*

5.14 At every public procession:

- (a) there shall be present throughout the procession either the organiser of the procession, or if he is not present, a person nominated by him to act in his place;
- (b) good order and public safety shall be maintained throughout the procession; and
- (c) the control of any sound amplification device that is used in such a manner that it causes a noise that would not be tolerated by a reasonable person, shall, if so required by a police officer, be surrendered to the police officer for the duration of the procession.

[S 15(1) of Cap 245.]

### **Part III : ELECTION MEETINGS IN PRIVATE PREMISES**

5.15 Any person who organises an election meeting in private premises is advised to consult the owner, occupier, owners' corporation, building management or the mutual aid committee etc concerned in advance and to obtain permission from them, if required. Insofar as the decision regarding election meetings by candidates in the common areas of a building accords fair and equal treatment to all candidates, the EAC will not intervene. Specific guidelines for conducting election meetings in the premises managed by the Housing Department and the Hong Kong Housing Society are set out in **Appendix BII**. *[Amended in October 2006]*.

5.16 Notification in writing to the Commissioner of Police will need to be given, in accordance with the procedures set out in paras. 5.6 and 5.7 above, if at the proposed meeting the attendance will exceed 500 persons.

### **PART IV : MOBILE EXHIBITIONS**

#### **General**

5.17 A candidate may hold an exhibition for election campaigning purposes. If such an exhibition is to be held, the candidate should consult the relevant management authorities of the premises concerned in advance, and to obtain prior permission from the Housing Manager, owner, occupier, owners' corporation, building management or the mutual aid committee, etc as appropriate, if required. Relevant guidelines in other parts in this chapter should also be observed, in addition to compliance with regulations and conditions imposed by other relevant authorities. *[Amended in October 2006]*

#### **Premises under the purview of the Housing Department and the Hong Kong Housing Society**

5.18 Where approval has been given by a Housing Manager for such an exhibition in housing estates managed by the Housing Department and the Hong Kong Housing Society, the display of election advertisements at the venue of the exhibition will normally be subject to the conditions that they are displayed in connection with the activity in question and for a temporary duration of less than a day. The guidelines in Chapter 4: Election Advertisements are applicable to such displays and must be observed by the candidate concerned. The Housing Manager should send a copy of the letter of approval to the RO for record and for public inspection. Please also see Appendix BII for reference. *[Amended in October 2006]*

## **PART V : FUND-RAISING ACTIVITIES AT ELECTION MEETINGS**

5.19 A permit is required for organising, providing equipment for, or participating in any collection of money or sale of badges, tokens or similar articles or exchange the same for donations in a public place [s 4(17) of the Summary Offences Ordinance (Cap 228)]. Any person who wishes to raise funds at an election meeting for non-charitable purposes should apply to the SHA. A copy of the administrative guidelines and licensing conditions for the issue of such permits with an application form is at the **Appendix C** for general information. *[Amended in October 2004]*

## CHAPTER 6

### ELECTION BROADCASTING, MEDIA REPORTING AND ELECTION FORUMS

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- Part I : General
- Part II : Electioneering on TV and Radio
- Part III : Advertising through the Print Media
- Part IV : Election Forums
- Part V : Sanction

#### **PART I : GENERAL**

6.1 This chapter deals with election broadcasting through electronic means (which covers all programmes including those on current affairs and news reporting on the radio and television), media reporting on election-related matters and the holding of any election forum. *[Amended in October 2004]*

#### **IMPORTANT:**

“Candidate” includes a person who has publicly declared an intention to stand for election at any time before the close of nominations for the election whether or not he has submitted a nomination form [s 2 of the ECICO].

#### **PART II : ELECTIONEERING ON TV AND RADIO**

6.2 Commercial broadcasters, including operators of television and radio channels, which are the licensees under the Broadcasting Ordinance (Cap 562), are generally not allowed to accept advertisements of a political nature. Other service providers which are not licensable under the Broadcasting Ordinance are allowed to carry election advertisements territory wide. *[Amended in February 2005]*

6.3 For current affairs or other programmes on TV and radio which are not election-related, candidates may take part as guests in these programmes insofar as their participation is pertinent. Otherwise, the “equal time” principle will apply. “Equal time” means **equal time for each of the candidates contesting in the same Village.** *[Amended in October]*

6.4 No unfair advantage should be offered to or obtained by any candidate over others regarding election campaigning.

6.5 The principles stated in paras. 6.3 and 6.4 above apply equally to political parties or political organisations of which the candidate is a member as they apply to the candidate himself.

6.6 During the election period (from the commencement of the nomination period to the polling day of the election), broadcasters should ensure that the “equal time” principle as well as the “no unfair advantage” principle are applied to all political parties or political organisations who have members contesting the VR election, whether or not contesting the same Village. If a political party or a political organisation whose members contest as candidates in the election is invited to take part in a current affairs or any other programme whose entire or partial theme is on the election, then all political parties or political organisations who have members contesting the VR election, whether or not contesting in the same village, should also be invited. *[Amended in October 2004]*

6.7 When inviting a candidate to attend a programme whose entire or partial theme is on the election, broadcasters should include in the invitation a notice to the invitee that a similar invitation has been or will be made to other candidates so as to give the invitees an equal opportunity to appear. **A record should be kept by the broadcaster of the date, time and contents of the invitation and the notice until three months after the election.** This rule applies similarly to political parties or political organisations.

6.8 The EAC appeals to broadcasters to treat all candidates competing in the same Village fairly and equally when making comment on or reference to the candidates in any of their programmes. Comments made for the purpose of promoting or prejudicing a candidate or candidates are treated as election advertisements, if reference could be made from the materials to identify the candidate(s) being promoted or prejudiced [see also para. 4.5b of Chapter 4: Election Advertisements]. Moreover, if such comments are determined by the EAC as election advertisements, the EAC will refer the matter to the Broadcasting Authority for appropriate action. If there is fair and equal treatment to all candidates of the same Village, the editorial line of the broadcaster or personal opinions of the programme presenter on each of the candidates can be freely expressed, insofar as they are fair comments and based on true facts. The guidelines do not seek to impose any shackle on the expression of such ideas. However, broadcasters should ensure that in the expression of such ideas, no unfair advantage may result towards any candidate over another or any political parties or organisations to which contesting candidates belong. *[Amended in October 2004]*

### **Candidates Appearing on TV/Radio/Movie as Presenters, Regular Contributors, Actors, Musicians, Singers or Other Entertainers**

6.9 A presenter, including a guest presenter, or regular contributor should not appear in any programme in his normal programme role after he has publicly declared his intention to stand for the election or during the election period if he becomes a candidate. This is to avoid unfair extra publicity for him at the critical time. A presenter or regular contributor may, of course, appear as candidate in election forums referred to in Part IV below. *[Amended in October 2004]*

6.10 A person who has contracted to appear as presenter, regular contributor, actor, musician or any other form of entertainer in any performance scheduled to be shown before his declaration of intention to stand for the election or before and after the election period may always do so and continue to do so. However, such a person should try his utmost endeavour to request the person(s) responsible not to broadcast his appearance in any media after his declaration of intention to run for the election or during the election period if he becomes a candidate. *[Amended in October 2004]*

### **Candidates Appearing in Commercial Advertisements**

6.11 A person should not participate in the making of an advertisement in which his image, name or voice appear ("the relevant advertisement") and which he knows will be broadcast on TV/radio/cinema after his declaration of intention to stand for the election or during the election period if he becomes a candidate.

6.12 If after the relevant advertisement has been made, the person then decides to run in the election, and it comes to his attention that the relevant advertisement will appear in TV/radio/cinema after his declaration of intention to stand for the election or after the nomination period has commenced if he becomes a candidate during that period, he should use his utmost endeavour to request the person(s) responsible not to broadcast the relevant advertisement after his declaration of intention to stand for the election or during the election period.

## **PART III : ADVERTISING THROUGH THE PRINT MEDIA**

6.13 A candidate is at liberty to advertise in the print media to promote his candidature. In so doing, he should follow the requirement stipulated in para. 4.46 in Chapter 4. Where such an advertisement is placed in the print media and takes the form of a news report or any other form which does not clearly show that it is an election advertisement, the words "**Election Advertisement**" or "選舉廣告" must be stated in the advertisement, to avoid

misunderstanding by readers that it is not an election advertisement [see para. 4.46 of Chapter 4: Election Advertisement.] The expenses so incurred must be accounted for in the return and declaration of election expenses and donations. *[Amended in October 2004]*

6.14 No unfair advantage should be offered by any publisher to a candidate. Nor should a candidate obtain from a publisher any unfair advantage regarding election campaigning. The EAC appeals to members of the print media to provide **fair and equal treatment** to all candidates competing in the same Village in the reporting of them or their electioneering activities. How fair and equal treatment is to be applied in practice is set out in the **Appendix D**.

6.15 A regular columnist should not contribute articles to the print media after he has publicly declared his intention to stand for the election or during the election period if he becomes a candidate. This is to avoid unfair extra publicity for him at the critical time. A regular columnist may, of course, appear as candidate in election forums referred to in Part IV below.

#### **PART IV : ELECTION FORUMS**

6.15a During the election period, broadcasters may organise election forums in their programmes. Broadcasters should ensure that the “equal time” principle as well as the “no unfair advantage” principle are applied to all candidates. If a candidate is invited to take part in the election forum, then all candidates of the same village should also be invited to be present at such forums so as to give the candidates an equal opportunity to appear. *[Added in October 2004]*

6.16 Any organisations such as professional or trade organisations, academic institutions and schools, etc, may organise election forums for civic education or other purposes. In line with the **fair and equal treatment** principle, the EAC appeals to all organisers to invite all candidates of the same Village to be present at such forums, so that no unfair advantage will be accorded to or obtained by any candidate over others regarding election campaigning. *[Amended in October 2004]*

6.16a The EAC also appeals to all candidates to use their best endeavours to take part in election forums in order to enable electors and the public to be apprised of their platforms. *[Added in October 2004]*



## **PART V : SANCTION**

6.17 If the EAC comes to know of unfair or unequal treatment of candidates by any broadcaster, publisher or forum organiser, it may make a **reprimand** or **censure** in a public statement which may include the names of the candidates favourably and unfavourably treated and the broadcaster, publisher or forum organiser concerned. The EAC may also notify the relevant authorities for appropriate action to be taken. *[Added in October 2004]*

## CHAPTER 7

### USE OF SOUND AMPLIFYING DEVICE AND VEHICLES

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- Part I : General  
Part II : Use of Loudspeakers and Vehicles

#### **PART I : GENERAL**

7.1 The law relevant to this chapter can be found in the Public Order Ordinance (Cap 245), the Summary Offences Ordinance (Cap 228), the Noise Control Ordinance (Cap 400) and the Road Traffic Ordinance (Cap 374) [*Amended in September 2005*].

7.2 Candidates are reminded that some members of the public find the sound or noise emitted by loudspeakers annoying and intrusive. When using loudspeakers, candidates should particularly bear in mind possible annoyance caused to people in hospitals, homes for the elderly, kindergartens, nurseries, schools and dwelling houses. Electors' choice of candidate in casting their votes may be affected as a result of any noise nuisance caused by candidates or their followers. [*Amended in October 2004*]

#### **PART II : USE OF LOUDSPEAKERS AND VEHICLES**

7.3 With effect from July 1995, the Commissioner of Police ceases issuing loudspeaker permits under s 4(29) of the Summary Offences Ordinance (Cap 228). Candidates are therefore **NOT** required to submit any application for a permit. However, this does not exempt candidates from complying with the requirements of the law and the conditions imposed by the Commissioner of Police when any amplification device is used in an election meeting or procession. An amplification device includes loudspeaker and any device which can emit or amplify sound. [Please refer to Chapter 5: Election Meetings for details.]

7.4 Although no permit is now required, any person using a loudspeaker should ensure that the noise emitted through the loudspeaker does not cause a nuisance to any other person. Under s 5(1)(b) of the Noise Control Ordinance (Cap 400), making a nuisance by using a loudspeaker, megaphone, or other device or instrument for magnifying sound from which the noise emitted is a source of annoyance either at any domestic premises or public place at any time of the day is an offence, and this includes use of

loudspeakers attached to vehicles. In order to reduce the nuisance caused to members of the public, candidates are required **NOT** to use loudspeakers in electioneering between 9 pm and 9 am. If the EAC comes to know that a candidate has breached the time restriction, it may make a **reprimand** or **censure** against him. Candidates should note that some members of the public may find the noise emitted from loudspeakers on vehicles disturbing. They should therefore seriously consider the public's tolerance over the noise level and try to keep the noise volume at a reasonable level. *[Amended in October 2006]*

7.5 Should any complaint be received by the police concerning the volume of the loudspeaker, the volume of sound should be reduced on the instructions of any police officer. If verbal warning or instruction by the police officer is ignored, prosecution may be instituted.

7.6 All vehicles used for and in connection with canvassing activities must comply with the provisions and regulations of the Road Traffic Ordinance (Cap 374). Drivers of such vehicles are obliged to obey all directions given by uniformed police officers and traffic wardens. Additionally, drivers of all vehicles must comply strictly with all the stopping and parking regulations of the Ordinance. Deliberate slow driving may constitute "careless driving" as it could be deemed as driving "without reasonable consideration for other persons using the road".

7.6a Paraphernalia attached to a vehicle must also comply with the Road Traffic (Construction and Maintenance of Vehicles) Regulations of the Road Traffic Ordinance, ie, not to interfere with the working or safety of the vehicle. For display of advertisements including election advertisements on public light bus, owners/operators of public light bus should obtain written approval from the Transport Department ("TD") and ensure the display of election advertisements be in compliance with the conditions as stipulated by TD in the approval letter, including in particular the following conditions:

- (a) no election advertisements should be displayed on the windows (in particular the front/rear windscreens or in any position that can obstruct the sight-line of the driver), at the areas above the windows and at the exterior roof panel;
- (b) no illumination should be used for the election advertisements; and
- (c) no election advertisements should obstruct any statutory label/markings required to be shown on the vehicle body.

*[Amended in October 2006]*

7.6b Candidates and their supporters are reminded that they should observe the statutory requirements of the Road Traffic (Safety Equipment) Regulations and Road Traffic (Traffic Control) Regulations under the Road Traffic Ordinance, including those relating to seating requirement, the wearing of seat belts and the permission to carry passengers in a vehicle. Standing up in moving vehicles would be **illegal** for both the drivers and standees except on trams, single-decked public service buses and the lower deck of double-decked buses. Passengers can also stand up on a vehicle used as a float if approved by the Commissioner of Transport. *[Amended in October 2006]*

7.7 Any vehicle modified to a float configuration for display or canvassing purposes must be approved by the Commissioner for Transport. Application procedures for approval of float design are included at **Appendix E**.

7.8 Candidates should also note the use of loudspeakers will not be permitted within the NCZ outside the polling station, nor will it be permitted in the vicinity where the sound emitted can be heard within the NCZ. [See also Chapter 10: Prohibition Against Canvassing Activities Outside Polling Stations.]

## CHAPTER 8

### ELECTIONEERING AT THE LIVING OR WORKING PLACES OF ELECTORS, PREMISES OF ORGANISATIONS TO WHICH ELECTORS BELONG AND BUILDINGS WHICH ELECTORS FREQUENT

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- Part I : General
- Part IA : Rights of Tenants and Owners
- Part II : Guidelines to be Observed by Candidates in the Conduct of Electioneering Activities
- 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
- Part IV : Conduct of Electioneering Activities in Premises under the Management of Housing Department and Hong Kong Housing Society
- Part V : Sanction

#### PART I : GENERAL

8.1 There are occasions when candidates may wish to target their electioneering activities at an individual elector or a group of electors at:

- (a) his/their living/working place(s);
- (b) the premises of the organisation(s) to which the elector(s) belong;  
or
- (c) the building(s) which the elector(s) frequent.

These electioneering activities include visits to and personal contact with people, using amplifying devices to advertise in the common parts of the building, display or distribution of election advertisements and holding of election meetings at, the places mentioned above. **Appendix F** gives some kind of reference as to what activity is to be regarded as an electioneering activity. This chapter explains the general guidelines to be observed by candidates in conducting electioneering activities, the rights of all concerned and appeals to the electors, the management bodies of the organisations to which the electors belong and the management bodies of the buildings which the electors frequent to **provide fair and equal treatment** to all candidates so as to ensure that the election is conducted fairly. *[Amended in October 2006]*

8.1a Candidates are reminded that different organisations may have their own guidelines to allow or disallow the conduct of electioneering activities on the premises under their management. To ensure the smooth conduct of electioneering activities in public or private places, it is always desirable for candidates to consult the relevant authorities or management in advance and to obtain permission from them for the conduct of electioneering activities in the places within their jurisdiction, if required. *[Added in October 2006]*

8.1b The general guidelines to be observed for conducting electioneering activities at the living and working places of electors, premises of organisations to which electors belong and buildings which electors frequent are set out in Part II below. The specific guidelines to be observed for conducting electioneering activities in the premises managed by the Housing Department and the Hong Kong Housing Society are set out in Appendix BII *[Added in October 2006]*

8.1c For the purpose of ensuring fair treatment and equal opportunity of access to all candidates in conducting electioneering activities and to avoid causing undue disturbance to the public, Part III below provides the owners/management of premises and organisations with some guidelines in handling applications for conducting electioneering activities in the premises under their control. *[Added in October 2006]*

## **PART IA : RIGHTS OF TENANTS AND OWNERS**

### **Tenant's Right - His House, Flat, Office or Factory**

8.1d The tenant who has exclusive possession of a house, flat, office or factory, and not the owner, has the right to allow or deny access by anyone to the place. *[Added in October 2004]*

### **Owners' Right - the Common Parts**

8.1e The **common parts** of a building (those parts to which exclusive rights of use or occupation do not belong to a particular owner or tenant) are usually under the control and management of the owners of the various units in the building. Where there is an owners' corporation of the building incorporated under the former Multi-storey Buildings (Owners Incorporation) Ordinance or the present Building Management Ordinance (Cap 344), the control and management of the common parts are exercised by the owners' corporation representing all the owners of the building. *[Amended in October 2004]*

8.1f The carrying out of the powers and duties and the acts of an owners' corporation do not affect the rights of the tenants of the individual flats, offices or factories in the building except in relation to matters concerning the common parts. Candidates and tenants should note that as **a tenant** has exclusive possession of the unit that he occupies, he **has the right to invite anyone to visit his unit for any lawful purpose**, including electioneering, but he has no right to allow the invitee to approach other tenants' units, such as knocking on other people's doors, or to do anything in the common parts of the building, except for accessing and leaving his unit or for the purposes allowed by the owners. *[Added in October 2004]*

### **Owners' Committees**

8.1g In some buildings, no owners' corporation has been established, but instead an owners' committee is formed. While an owners' committee generally operates in the same manner as an owners' corporation, its powers vis-à-vis the rights of the individual owners are not standardised and may differ from case to case. *[Added in October 2004]*

### **Management Companies**

8.1h Very often, the management of the common parts of a building has been delegated by the owners or owners' corporation or owners' committee to a management company. Management companies are only managing the common parts on behalf of the owners and unless specifically empowered to do so, have no independent right or power to decide whether electioneering by candidates in the common parts should or should not be allowed. *[Added in October 2004]*

### **Tenants Associations, Residents Associations, Mutual Aid Committees**

8.1i Sometimes there are tenants associations or residents associations or mutual aid committees representing tenants' interests in buildings. As against the owners, they have no right to control or manage the common parts. If they are given the authority by the owners, then they are entitled to control and manage the common parts on behalf of the owners. *[Added in October 2004]*

## **PART II : GUIDELINES TO BE OBSERVED BY CANDIDATES IN THE CONDUCT OF ELECTIONEERING ACTIVITIES**

### **Visits to Living and Working Places of Electors**

8.2 Candidates should note that electors are free to invite, or accept the request from, a particular candidate(s), but not the others, to visit them at

their own living or working places. However, access to a private office may require the approval of the management of the office building or the companies which employ the electors, and such management when making a decision should have due regard to the fair and equal treatment principle mentioned in Part III below. In conducting electioneering activities at the common parts of the living or working places of electors, candidates should observe the general guidelines set out in paras. 8.5 to 8.11 below. *[Amended in October 2006]*

8.3 Any government offices, which are working places of electors, will be treated in the same manner as the premises referred to in this chapter. Government offices may allow or disallow electioneering activities as they wish, but such decision should comply with the fair and equal treatment principle mentioned in Part III below. *[Amended in October 2006]*

8.4 Due to security reasons, arrangements will not be made to facilitate in-person canvassing activities in a prison or the premises of a law enforcement agency. A visitor, who visits a prison or the premises of a law enforcement agency for a business or official purpose, is not allowed to canvass for votes. This is to ensure that such a visitor will not have an advantage over other persons who cannot make the visit. A person, who canvasses for votes during the aforesaid visit, commits an offence punishable with a fine at level 2 (up to \$5,000) and imprisonment for up to 3 months. [S 79A of the EP (VRE) Reg.] *[Added in December 2009]*

### **Respect for the Decision and Privacy**

8.5 After a candidate has been notified of the decision of an organization or a building relating to electioneering activities, he should ensure that he and his followers comply with the decision.

8.6 If a decision to disallow electioneering in an organisation or a building has been made, the candidate or his followers should conduct no electioneering activity in such places. If the candidate concerned acts against the decision of the organisation or building and electioneers in whatever manner, then he commits trespass and the organisation or building management can simply stop him doing the contravening act or carry out the decision to exclude the candidate concerned. If the candidate refuses to leave, it would be wise in such circumstances for the organisation or building management, as the case may be, to report the matter to the Police in the first instance and then to the EAC which will decide whether to publish a **reprimand** or **censure** against the candidate concerned.

8.7 A candidate and his supporters should respect the decisions of the organisation or building management, and it is unwise to enter into **arguments** with members of the organisation or the building residents who obstruct the candidate's electioneering inside the premises of the organisation or the



building. Such arguments may affect the candidate's reputation or image with members of the organisation or the residents of the building. Any dissatisfaction with the decision or act of the organisation or the building should more properly be made a subject of a complaint as soon as possible to the EAC which will decide whether the decision or act is fair or unfair.

8.8 **Privacy of the electors should be respected.** A guidance note on personal data privacy in respect of electioneering activities, prepared by the Office of the Privacy Commissioner for Personal Data, is at **Appendix FI**. It serves as a general reference on compliance with the requirements of the Personal Data (Privacy) Ordinance (Cap 486) ("PD (P) O") in relation to electioneering activities that may involve the collection and use of personal data of an individual. Candidates are supplied by the HAD with an extract of the FR which contains the name and residential address of the electors of the relevant village, but not their telephone numbers. Some members of the public do not like or detest being called over the **telephone** or the **entrance intercom system** and others do not like their names being called out aloud. Their disapproval may be reflected in their choice of candidates on polling day. It is therefore unwise to telephone electors who find such approaches objectionable or to act in any other way that may antagonise them. As a matter of good practice, candidates and their supporters should maintain a list of electors that they know finding such electioneering telephone calls or visits objectionable and avoid approaching these electors again. On the other hand, electors who receive objectionable telephone calls can just disconnect them. If the caller does not desist from calling and causes a nuisance, the elector should report the matter as soon as possible to the **Police** who may take action against the caller.

8.9 Some candidates or their supporters may use **loud-hailers** to assist their campaign. They should exercise restraint in the use of loud-hailers so as not to create a nuisance to the persons in the vicinity, including those who live in the buildings nearby. Candidates are therefore required **NOT** to use loudspeakers in electioneering between 9 pm and 9 am. If the EAC comes to know that a candidate has breached the time restriction, it may make a reprimand or censure against the candidate. Excessive noise will amount to an offence and the Police may be called. Anyway, it is unwise to create a nuisance through the use of loud-hailers, for the annoyance of the electors will obviously be reflected in their choice of candidate.

8.10 Canvassing through the use of the **entrance intercom system** in a building is prohibited unless it is expressly allowed by the building.

## **Identification of Canvassers**

8.11 For security reasons and for prevention of abuse, the EAC advises that each candidate should provide some forms of identification to his canvassers for them to enter the premises of an organisation or a building for electioneering purposes. The EAC suggests that the candidate should devise an authenticated identification document containing the name and photograph of his canvasser who should produce this identification document together with his identity card for inspection to gain entry into the premises of an organisation or a building. Candidates should note that the production costs of this kind of identification document will be counted as election expenses.

### **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**

#### **Electioneering at premises of organisations to which electors belong and buildings which electors frequent**

8.12 The premises of the organisations to which the electors belong and the buildings which electors frequent usually do not belong to a particular elector or group of electors. They are usually under the control of the management bodies of the organisations or the buildings concerned.  
*[Amended in October 2006]*

8.13 On the polling day or even quite some time before, candidates and their supporters may wish to carry out canvassing or electioneering activities at the premises mentioned above. Such activities mainly consist of the following:

- (a) distribution of election leaflets or advertisements by delivering them into the flats themselves, or into mail boxes of the flats, or placing them in the common parts of the building for collection, or handing them out to residents or people in the common parts of the building (but not distribution by post which is not subject to the control of the private premises);
- (b) display of posters, banners, placards, boards and any other election advertisements, etc at any of the places within the common parts of the building;

#### **NOTE :**

Candidates who are allowed to display or distribute election advertisements at the premises mentioned above must comply

with the guidelines set out in Chapter 4: Election Advertisements.

- (c) personal contact with people or using amplifying devices to advertise in the common parts of the building; and
- (d) household or home visits to occupiers of flats.

*[Added in October 2004]*

8.14 **A tenant's right to invite lawful visitors to his own flat or office or factory cannot be lawfully restrained by any decision made by the owners or owners' corporation.** If he invites a candidate and his supporters into his own place, the owners or owners' corporation have no right to stop or obstruct it. *[Added in October 2004]*

### **Decision to be Made at a Meeting with Tenants**

8.15 During election time, there may be tenants wishing to entertain the approaches by candidates and their followers, but different tenants may invite different candidates to their units, and there may be arguments as to which candidate should be allowed to electioneer in the building. It is therefore advisable for owners or owners' corporations to make a decision on whether to allow candidates and their followers to conduct electioneering activities in the building, so that arguments relating to who is allowed and who is not allowed to do so will be resolved for the benefit of all concerned. It is also advisable for owners or owners' corporations to invite all the tenants to attend the meeting held for discussing this matter so that tenants' views will be heard before any decision to allow or deny electioneering activities in the building is taken *[Added in October 2004]*.

8.16 As a motion on whether or not electioneering should be allowed in a building concerns the rights of tenants and occupiers more than those of owners, it is advisable for owners or owners' corporations to allow occupiers who are not owners to vote on the motion and a secret ballot is always the fairest way of voting on such a controversial subject. If approval or consent has been obtained from the owners having the control of the common parts of the building or the owners' corporation, the building management organisation may conduct a questionnaire survey to collect the views of the occupiers of each flat and act according to the majority view relating to matters covered by and in accordance with this chapter. *[Amended in October 2004]*

8.17 Candidates in an election see electioneering as a form of freedom of expression whereby they express to electors their platforms and the electors have a corresponding right to receive such information. Electors can only make a proper choice when casting their votes if they know the platforms of each of the contesting candidates. *[Added in October 2004]*

8.18 If a decision is made to allow electioneering by all candidates, the decision can also set out the hours of access and other conditions, such as not causing annoyance to occupiers, and the maximum number of persons allowed for home visits, etc for the candidates to comply (see also **Appendix BI**). *[Added in October 2004]*

### **Decision Must Provide Fair and Equal Treatment**

8.19 The EAC appeals to all management bodies of the organisations or buildings concerned to provide **equal opportunity** to all candidates competing in the same Village for the purposes of electioneering. However, if it is decided **not** to allow a particular candidate to conduct electioneering activities in the premises of the organisation or in the common parts of the building, no other candidate in the same Village should be allowed to do so, for **it is important to provide fair and equal treatment to all candidates** so as to ensure that the election is conducted fairly. Discriminatory treatment of candidates may also lead to unequal treatment of tenants, and have the undesirable effect of giving rise to dissatisfaction and discord amongst neighbours in the same building. *[Amended in October 2004]*

8.20 Whatever organisation it is in such a building, be it an owners' corporation, owners' committee, mutual aid committee, tenants association, residents association, management company or managers of the building, the decision that it makes relating to electioneering activities of candidates in the common parts of the building, including the office premises of the organisation and all private streets, etc, **must comply with the fair and equal treatment principle**. *[Added in October 2004]*

8.21 The organisation concerned should make a decision that applies equally and fairly to all candidates of each village instead of dealing with each application from them separately. This will avoid having to convene a meeting to deal with each application upon its receipt, sometimes incurring delay in dealing with some applications. The EAC may treat such delay as a device to avoid compliance with the fair and equal treatment principle and may issue a reprimand or censure. *[Added in October 2004]*

8.22 Even though such an organisation or any member of it may have reasons to exclude a particular candidate from the building, it should still adhere to the principle of fair and equal treatment for all candidates competing in the same village without any discrimination. *[Added in October 2004]*

### **Notification of Decision**

8.23 The management bodies of organisations and buildings are urged to notify the relevant RO in writing as soon as possible of their decision on electioneering by candidates so as to equip the relevant RO with the correct

information to be provided to the candidates who may make inquiries with him. A **form** of the notification to the RO can be obtained from the HAD. **Where no notification is received by the RO after the expiration of the nomination period, he may assume that there is no objection from the organisation regarding electioneering by candidates in the building.** Nevertheless, candidates are advised to note that some buildings may not be able to make a decision on electioneering by candidates before the close of nomination and therefore have not given the notification to the RO as required. When candidates come across these buildings, they should respect the interim decision of the management bodies of these buildings not to allow electioneering.

### **Display of Election Advertisements**

8.24 If the management bodies of the organisations or buildings decide that the display of election advertisements (which is a form of electioneering activity) is allowed in their premises, the management bodies of the organisations or buildings concerned should avoid handling candidates' applications for display of election advertisements on a first-come, first-served basis as this may create unfairness. For example, if one candidate knows the decision and applies to put up posters on all available spots in the common parts of the building, no space will be left for other candidates who apply after him. To ensure fairness, management bodies are advised to:

- (a) ascertain all the available spots in their premises for candidates to display posters and banners;
- (b) decide on the maximum size of posters and banners to be allowed;
- (c) after the close of nomination of candidature, find out from the relevant RO(s) how many candidates are contesting in the Village(s) concerned;
- (d) divide all the available spaces according to quality and quantity to ensure equality as far as possible into portions equivalent to the number of candidates;
- (e) when one of the candidates applies for display, allow him to draw lots to obtain a portion of the spots still available at the time of his application; and
- (f) where two or more candidates wish to display their joint election advertisements, they should be allowed to do so but the joint election advertisements should occupy no more than the total of all the portions of the spots allocated to them by the restriction of size under (b) and the drawing of lots under (e).

*[Amended in October 2006]*

8.25 If a building has any spaces in the common area to let to candidates for them to display election advertisements or conduct other electioneering activity, the building shall ensure that such spaces are equally available to let to all the candidates contesting in the same village, and give reasonable notice to all such candidates accordingly. Letting a space to only one of the candidates but not the others will be considered to be offering an unfair advantage to the candidates concerned and operating unfairly towards the other candidates. Candidates should not take any such unfair advantage. *[Added in October 2004]*

8.26 Where a decision has been made, notice of its contents together with the conditions should be posted up at the entrance so that candidates or their agents will be able to know. This openness will help prevent misunderstanding and complaint. *[Added in October 2004]*

8.27 Whenever a decision has been taken by a building, insofar as the decision does not offend against the fair and equal treatment principle regarding electioneering activities of all candidates of the same village, and such decision is not carried out unfairly towards any of the candidates, the EAC will not intervene. *[Added in October 2004]*

8.28 An owners' corporation or other organisation or person should be very careful not to incur any election expenses for promoting a candidate, such as putting up a banner to show support for a candidate, because it is an illegal conduct at an election for a person, other than a candidate or a candidate's election expense agent, to incur election expenses at or in connection with the election [s 23 of the ECICO]. *[Added in October 2004]*

8.29 All persons who put up any publicity materials, including those which do not look election-related, in the nomination period on private premises should declare to the management body concerned in writing whether they are candidates or intend to stand as candidates in the election. This is to prevent prospective candidates to make use of such device to promote themselves. The management body is also advised to exercise its own judgement whether the publicity materials are serving electioneering purposes and then make a decision with due regard to the fair and equal treatment principle. *[Added in October 2004]*

#### **PART IV : CONDUCT OF ELECTIONEERING ACTIVITIES IN PREMISES UNDER THE MANAGEMENT OF HOUSING DEPARTMENT AND HONG KONG HOUSING SOCIETY**

8.30 The specific guidelines to be observed by candidates and their agents in the conduct of electioneering activities in premises under the management of Housing Department and Hong Kong Housing Society are set

out in **Appendix BII**. *[Amended in October 2006]*

## **PART V : SANCTION**

8.31 If the EAC receives a complaint of unfair or unequal treatment of candidates by any organisation or building or a person acting or purporting to act on behalf of such organisation or building, and is satisfied that the complaint is justified, it may make a **reprimand** or **censure** in a public statement which may include the names of the candidates favourably and unfavourably treated. Candidates should therefore advise the organisation management or building owners whom they approach of these guidelines. On the other hand, however, if it is proved that a person has made a false, unfounded or unreasonable allegation of unfair treatment by an organisation or a building, the EAC may issue a reprimand or censure in a public statement against that person.

8.32 Candidates should also refrain from accepting any unfair advantage over other candidates even though such may be ready on offer by an organisation or a building. The EAC may publish a public **reprimand** or **censure** against the candidate who contravenes the guidelines in this chapter or whose act or behaviour results in any unfair or unequal treatment by organisations or buildings towards any other candidate.

## CHAPTER 9

### ELECTIONEERING ACTIVITIES CONDUCTED IN SCHOOLS OR PARTICIPATED BY SCHOOL STUDENTS

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- Part I : General
- Part II : School Pupils
- Part III : Electioneering Activities in Schools
- Part IV : Sanction

#### **PART I : GENERAL**

9.1 Candidates, school supervisors, principals and teachers are requested to take note of these guidelines when considering allowing the conduct of electioneering activities in their schools or seeking the assistance of pupils in electioneering activities.

9.2 Involvement of school pupils in electioneering activities has always been a matter of public concern. Anybody in authority must not use his position to exert undue influence on youths of school age under his charge to recruit them for electioneering activities. If the EAC comes to know that a person has abused his position by involving youths of school age under his charge in electioneering activities, it may make a reprimand or censure against the person. For use of force or duress on a person's voting preference, please see s 13 of the ECICO. *[Amended in October 2004]*

#### **PART II : SCHOOL PUPILS**

9.3 While it is for the promotion of civic education that school pupils are encouraged to take an interest in community affairs, including elections, it is considered undesirable for them to be involved in electioneering activities at too young an age. Unattended young children can cause control problems and, particularly where large numbers are involved, or in overcrowded situations, can create a danger to themselves and the others. The EAC therefore advises strongly against any pre-primary or primary school pupil taking part in electioneering activities.

9.4 Distribution of election advertisements is a form of electioneering activity. There may be school supervisors, principals or teachers who may support a particular candidate. While they are free to support any candidate they prefer, they should not distribute or help distribution of election



advertisements of any candidate to the parents of pre-primary, primary or secondary pupils using the pupils as conduits. Moreover, they must not ask such pupils to request their parents to vote for any particular candidate. The same applies to candidates who are themselves school supervisors, principals or teachers. This guideline is based on the same principle stated in para. 9.2 above, and could avoid any semblance of undue influence on young children under the charge of these persons in authority in the school.

9.5 The EAC adopts the advisory circular issued by the Secretary for Education and Manpower to all schools for general guidance, emphasising the following points: *[Amended in October 2004]*

- (a) participation by pupils in electioneering activities must be entirely voluntary;
- (b) the written consent of a parent or guardian must be obtained beforehand;
- (c) in no circumstances should pre-primary or primary school pupils be asked to take part in such activities;
- (d) there should be no disruption of the pupils' education, and in no circumstances should normal lessons be interrupted to enable pupils to take part in such activities; and
- (e) in no circumstances should pupils be asked to take part in activities in areas where they may be subject to various elements of danger, including those created by traffic.

9.6 Pupils who take part in canvassing activities should pay attention to their own school regulations, and in particular those regarding the wearing of school uniform in such activities.

9.7 The EAC recognises that school pupils who are 18 years of age or over are by law old enough to be responsible for their own acts and make election-related decisions for themselves.

### **PART III : ELECTIONEERING ACTIVITIES IN SCHOOLS**

9.8 During the election period, school supervisors, principals or teachers may invite or be approached by candidates to give talks on topical issues to students in their schools. The topic to be covered by such a talk may or may not have direct reference to an election. In any case, the presence of the candidate delivering it and the copies of the speech which may be circulated to students and brought home to their parents may have the effect of promoting or advertising that candidate and should, therefore, be regarded as his electioneering activity. [See also para. 9.4 above.]

9.9 In line with the **fair and equal treatment** principle, the EAC appeals to all school supervisors, principals and teachers to provide equal opportunity to all candidates of the same Village for the purpose of electioneering. If a school authority has decided to allow a particular candidate to conduct electioneering activities in the school, other candidates of the same Village should be informed and given the opportunity to do the same, so that no unfair advantage will be accorded to or obtained by any candidate over others regarding election campaigning. Information on the name and address (and contact numbers if the candidate has no objection to releasing the same) of candidates can be obtained from the HAD.

#### **PART IV : SANCTION**

9.10 If the EAC comes to know that any candidate or school or a person is in breach of the guidelines in this chapter, it may make a **reprimand** or **censure** in a public statement which may include the name of the candidate, the school and person concerned, and may also refer the case to the Education and Manpower Bureau. Candidates should therefore apprise the school or person concerned who offers them assistance of these guidelines. *[Amended in October 2004]*

## CHAPTER 10

### PROHIBITION AGAINST CANVASSING ACTIVITIES OUTSIDE POLLING STATIONS

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- Part I : General
- Part II : Declaration of a NCZ and NSZ
- Part III : Conduct inside the NCZ and NSZ
- Part IV : Penalty

#### **PART I : GENERAL**

10.1 This chapter deals with the ban on canvassing activities **outside** polling stations on the polling day.

10.2 A NCZ Scheme is employed for the purpose of prohibiting canvassing activities outside polling stations on the polling day in order to maintain free and safe passage for electors, and to ensure that they are not unduly harassed on their way to the polling station.

#### **PART II : DECLARATION OF A NCZ AND NSZ**

10.3 The RO specified under para. 10.4 below must determine an area outside the polling station to be a NCZ. In so doing, he will take into account the characteristics and special conditions of the polling station. He must also determine an area within the NCZ outside the entrance/exit of the polling station as a NSZ. These two zones are to be determined with reference to a map or plan. [s34(1) of the EP (VRE) Reg] *[Amended in October 2006]*

10.4 For a polling station which is used for more than one Village, the determination of a NCZ or NSZ is by the RO specified by DHA [s 34(3) of the EP (VRE) Reg]. *[Amended in October 2004]*

10.5 The RO who made the determination of declaring a NCZ or NSZ in respect of a polling station must, at least two days before the polling day, give notice of the declaration to the candidates of his own Village and to the ROs of other Villages for which polling will be held in the polling station; and thereafter each of the ROs of these other Villages must give notice of the declaration to the candidates of their own Village as soon as practicable. [s 34(2), (3) of the EP (VRE) Reg]. *[Amended in October 2004]*

10.6 The notice will be given in writing, either in person or by post or by facsimile transmission, to the candidates or to the election agents.

10.7 Where the circumstances so warrant, the RO who has made a determination may vary the NCZ or NSZ. Notice of the variation must be given as soon as practicable after the variation in the same manner as a notice referred to in para. 10.6 above. [s 34(5) of the EP (VRE) Reg]. However, a notice of variation need not be given to the candidates if it is not reasonably practicable to do so before the close of poll. *[Amended in October 2004]*

10.8 A notice of the determination or the variation, together with indication of the boundaries of the NCZ or the NSZ, need to be displayed, on polling day, at or near the relevant polling station, in order to make the determination or variation effective. [s 34(6), (7) and (8) of the EP (VRE) Reg]. *[Amended in October 2004]*

10.9 A RO who is empowered to determine NCZ and NSZ may authorise his ARO or the PRO of the relevant polling station to exercise the power to vary the determination and to perform the associated duties on polling day.

### **PART III : CONDUCT INSIDE THE NCZ AND NSZ**

10.10 Door-to-door canvassing and, for the purpose of such canvassing, the display of propaganda material, eg any badge, emblem, clothing or head-dress which may promote or prejudice the election of a candidate or candidates at the election, or makes direct reference to a body any member of which is standing as a candidate in the election or to a political body in Hong Kong, will be allowed on the storeys above or below street level in a building within a NCZ other than a building in which there is a polling station provided that permission has been obtained for entry to the building for canvassing votes, obstruction is not posed to electors and no amplifying system or device is used. [s 35(3) of the EP (VRE) Reg]. Apart from this, no other canvassing activities (including suggesting not to vote for any candidate) will be allowed within a NCZ except for static displays of election advertisements that are authorised by the RO or the PRO of the relevant polling station. Where there are premises situated within the NCZ, the ROs should issue a notice in advance to all the candidates in the villages concerned asking them to remove all of their election advertisements, if any, posted up at the premises within the NCZ which can be seen by the electors on their way to the polling stations on the polling day. If the candidates fail to remove the election advertisements as requested by the ROs, the ROs may issue a warning to them to remove the offending election advertisements immediately. If the candidate fails to do so, the EAC may issue a censure or reprimand. Canvassing activities may take many different

forms. A list of common canvassing activities which are forbidden in a NCZ is at the **Appendix F**. *[Amended in October 2006]*

10.11 On the polling day, the PRO will use his best endeavour to ensure that no person carries out any activity other than those permitted activities described in para. 10.10 above in the NCZ in respect of his polling station to persuade or induce any elector to vote or not to vote. Any unauthorised display of election advertisements in the area will be removed; and any person found to have conducted canvassing activities in the area will be asked to leave the area. [s 35 of the EP (VRE) Reg]. *[Amended in October 2004]*

10.12 The use of loudspeakers or loud-hailers will not be permitted within the NCZ, nor will any such device or any activity (eg lion dance) be permitted in the vicinity so that the sound emitted can be heard within the NCZ. Save for canvassing activities allowed in para. 10.10, candidates and their supporters are not allowed to pass, let alone shout, appeal message to persons while inside the NCZ. [See Part II of Chapter 7 regarding the use of loudspeakers.] *[Amended in October 2004]*

10.13 Within the “NCZ” but immediately outside the entrance/exit to the polling station (and sometimes the entrance is also the same as the exit), there will be a “NSZ”, in which no person is allowed to stay or loiter, except where a person has been expressly permitted to do so by the PRO. This is for the purpose of securing safe and smooth passage of electors into and out of polling stations. *[Amended in October 2006]*

10.14 A person shall not obtain or attempt to obtain (in any manner) information as to which candidate an elector of the relevant polling station is about to vote for or has voted for, in a NCZ or in a NSZ without the express permission of the RO or the PRO who should have regard to exit pollsters who have complied with the requirements set out in Chapter 11: Exit Poll.

10.15 Any person who misconducts himself or carries out any forbidden activity in a NCZ or NSZ, or fails to obey a lawful order of the RO (who has made the determination in respect of that NCZ or NSZ) or the PRO, commits an offence punishable with a fine and imprisonment and may be ordered by such officer to leave the NCZ or NSZ. If he fails to leave immediately, he may be removed from the relevant area by a police officer, an officer of the CSD or any law enforcement agency, or by any other person authorised in writing by the RO or the PRO. The person so removed may not re-enter the NCZ or NSZ on that day except with the permission of the RO or the PRO. [S 35(9) of the EP (VRE) Reg.] *[Amended in October 2004 and December 2009]*

#### **PART IV : PENALTY**

10.16 Any canvassing within a NCZ except those exempted, any conduct prohibited under paras. 10.13 and 10.15 above will each be an offence under s 35 of the EP (VRE) Reg, punishable by a fine at level 2 (up to \$5,000) and imprisonment for up to 3 months. Any attempt to obtain information as described in para. 10.14 above without the necessary permission will be an offence under s 82 of the EP (VRE) Reg, punishable by a fine at level 2 (up to \$5,000) and imprisonment for up to 6 months. [Ss 82(1) and 89(2) of the EP (VRE) Reg.] *[Amended in October 2004 and December 2009]*

# CHAPTER 11

## EXIT POLL

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- Part I : General
- Part II : Conduct of Exit Polls
- Part III : Secrecy of the Vote
- Part IV : Identification of Interviewers
- Part V : Sanction

### **PART I : GENERAL**

11.1 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.

### **PART II : CONDUCT OF EXIT POLLS**

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

11.3 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 an exit poll, persons or organisations intending to conduct exit polls must provide the following to the RO or the PRO **at the latest seven days before the relevant polling day-**

- (a) the name and address of the person or organisation intending to conduct an 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.

*[Amended in December 2009]*

11.3a On the receipt of the application, the HAD will consider the application and issue approval to the concerned person or organisation as appropriate. A list of such persons or organisations allowed to conduct exit poll will be announced to the public prior to the polling day for the reference of the public and candidates and such a list will also be displayed at the respective polling stations. *[Added in October 2004]*

11.4 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 the one in which there is a polling station provided that permission has been obtained for entry to the building for canvassing votes, such activities do not pose any obstruction to electors and no amplifying device is used. Interviewers must therefore be extremely careful in conducting the 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 area designated as the NSZ, within the NCZ but immediately outside the entrance/exit to each polling station. 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 the 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 2006]*

11.5 Any announcement of the results of exit polls or predictions, particularly in relation to any individual candidate during the polling hours, may affect elector behaviour and have an impact on election results. The EAC, therefore, appeals to the media and organisations concerned to refrain from announcing the results of exit polls or making specific remarks or predictions on the performance of individual candidate **until after the close of poll.**

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

### **PART III : SECRECY OF THE VOTE**

11.7 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 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 to disclose the name of, or any particular relating to, the candidate for whom the elector voted at an election [s 38 of VRE Ord]. Those who conduct exit polls must respect the electors' right and wish not to be disturbed.



#### **PART IV : IDENTIFICATION OF INTERVIEWERS**

11.8 There had been occasions where exit poll interviewers were mistaken to be Government officials or polling staff. Such interviewers are therefore required to wear an identification device so that electors will not be misled into thinking that they are appointed by Government.

11.9 After receipt of the information referred to in para. 11.3 above, the RO or the PRO will notify the organisation or person concerned to collect a number of identification devices bearing the name of the organisation that is required to be worn by each of the persons included in the list in para. 11.3(c) above when conducting an exit poll. Any person not wearing such a device or wearing such a device without the identity of the organisation being shown will not be allowed to conduct an exit poll outside any polling station.

#### **PART V : SANCTION**

11.10 Apart from the criminal sanction provided in the VRE Ord, 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 may include the name of the broadcaster or the organisation concerned.

## CHAPTER 12

### ELECTION EXPENSES AND DONATIONS

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- Part I : What Constitutes Election Expenses
- Part II : Who may Incur Election Expenses and their Limit
- Part III : Donations
- Part IV : Return and Declaration of Election Expenses and Donations
- Part V : Advance Return of Donations
- Part VI : Enforcement and Penalty

#### PART I : WHAT CONSTITUTES ELECTION EXPENSES

12.1 Provisions relating to election expenses can be found in the ECICO.

12.2 **Election expenses** mean expenses incurred or to be incurred **before, during** or **after** an **election**, by a candidate or his election expense agent on his behalf for the purpose of promoting his election, or prejudicing the election of another candidate or other candidates and include the value of election donations consisting of goods and services used for that purpose [s 2 of the ECICO]. The term “candidate” relating to election expenses (and donations) therefore includes a person **who has publicly declared an intention to stand for election** in respect of a village at any time before the close of nominations for the election, regardless of whether he has submitted his nomination form, or after submission of the nomination form he has withdrawn his nomination or his nomination is ruled invalid by the RO [s 2 of the ECICO]. *[Amended in October 2006]*

12.3 A candidate may receive **donations** for the purpose of meeting the costs of his election expenses. Donation, in relation to a candidate or candidates at an election, means any of the following donations:

- (a) any money given to or in respect of him for the purpose of meeting or contributing towards meeting his election expenses; or
- (b) any goods given to or in respect of him for the purpose of promoting his election or of prejudicing the election of another candidate or other candidates and includes any goods given incidental to the provision of voluntary service; or
- (c) any service provided to or in respect of him for the purpose of promoting his election or of prejudicing the election of another

candidate or other candidates, but does not include voluntary service.

[S 2 of the ECICO.]

All such donations, whether in cash or in kind, when spent or used, are counted as election expenses. [For details, see Part III of this chapter.]

12.4 There is no defined time as to when expenses are incurred whereby they will or will not be counted as election expenses. It is a question of fact in each case. For as long as an expense is incurred either for the purpose:

- (a) of promoting the election of a candidate; or
- (b) of prejudicing the election of another candidate or other candidates;

it will be an election expense, irrespective of when it is incurred, either before, during or after the election, and regardless of the source of funding.

12.5 A list of common expenditure items which may be counted towards election expenses is at **Appendix G**. The list is only illustrative and should not be considered as having precedence over the legislation. Whether a particular item of expenditure should be regarded as an election expense is a question of fact to be answered in the circumstances of each case. Each case should be determined by reference to the purpose behind the expenses, taking account of the nature, circumstances and context of the expenditure. Personal expenses incurred in the normal course of a candidate's daily life are not election expenses. Use of staff and other resources which are available to a candidate in his official capacity or at work for the purpose of promoting his candidature in an election should also be counted as election expenses. Candidates should consult their legal advisers if they have doubt as to whether an expenditure item should count as an election expense. Any legal fees incurred as a result will not themselves be counted as election expenses. *[Amended in October 2006]*

12.6 A candidate should not use any public resources for the purpose of promoting his election or prejudicing the election of another candidate or other candidates at the election. However, any security, transportation, secretarial and living quarters services to which he is entitled to use for his private purposes by virtue of his post or job are not treated as public resources in this context.

## **PART II : WHO MAY INCUR ELECTION EXPENSES AND THEIR LIMIT**

### **Maximum Amounts of Election Expenses**

12.7 The maximum amounts of election expenses for the VRE are prescribed by the Maximum Amount of Election Expenses (Village Representative Election) Regulation made by the Chief Executive in Council pursuant to s 45 of ECICO to limit the maximum amount of expenses a candidate may incur on account of the election. This limit controls the extent of election campaigns and serves to prevent candidates with ample financial resources from having an unfair advantage.

12.8 The maximum amount of election expenses that may be incurred by or on behalf of a candidate of either the IIR or RR election is set out in the following table. For ascertaining the number of registered electors referred to in items (a) and (b), inquiry can be made with the relevant RO .

(a) for an election in respect of an IV and CIV or an EV respectively with not more than 1,000 registered electors	\$18,000
(b) for an election in respect of an IV and CIV or an EV respectively with more than 1,000 registered electors	\$28,000

12.9 A candidate must not incur any election expenses in excess of the maximum amount prescribed [s 24 of the ECICO].

### **Persons Authorised to Incur Election Expenses**

12.10 Only a candidate or a person who has been duly authorised by a candidate as the candidate's election expense agent may incur election expenses [s 23 of the ECICO]. The authorisation should follow the procedures specified in Part III of Chapter 3: Appointment and Roles of Election Agent, Election Expense Agents, Polling Agents and Counting Agents.

12.11 **Negative campaigning** (ie canvassing against other candidates). Before incurring expenses in carrying out any negative campaigning for or for the benefit of a candidate, a person will need the authorisation of the candidate to be the election expense agent of the candidate. Such expenses will be counted towards election expenses of the candidate. If the negative campaign includes election advertisements, all the requirements of the ECICO and of the EP (VRE) Reg must also be complied with. *[Amended in October 2006]*

12.12 Candidates should advise the organisations with which they are associated and which may incur expenses to support them of these guidelines as soon as they have any intention or plan to run for the election, to avoid any offences being committed by these organisations out of ignorance.

12.13 A candidate will be responsible for the overall amount of his election expenses. In the event the total amount incurred by him and/or on his behalf is above the limit prescribed or above the limit he has authorised his election expense agent to expend, he will be liable for contravening the law, unless he can prove that the excess was incurred without his consent, beyond his authorisation, or not due to any negligence on his part. The election expense agent, on the other hand, should not incur an amount of election expenses which exceed the limit authorised by the candidate, lest the agent will contravene s 23 of the ECICO. [Ss 23 and 24 of the ECICO.] *[Amended in October 2004]*

### **PART III : DONATIONS**

#### **General Provisions**

12.14 A person who has made known his intention to stand as a candidate in the election may receive donations for the sole purpose of meeting his election expenses.

12.15 Donations can only be used for meeting, or contributing towards meeting, a candidate's election expenses, or in the case of an election donation consisting of goods or services, for the purpose of promoting the election of the candidate or of prejudicing the election of another candidate or other candidates. [S 18 of the ECICO].

12.16 Donations can be in cash or in kind, and include any money's worth, any valuable security or other equivalent of money and any valuable consideration. All spent or used donations, whether in cash or in kind, which may be received before, during or after an election, are counted towards the total election expenses which are subject to the maximum amount prescribed.

12.17 Any unspent or unused donations must be given to charitable institution(s) or trust(s) of a public character chosen by the candidate(s). Any amount of donations that exceeds the upper limit of election expenses must also be given to such charitable institution(s) or trust(s). [S 19 of the ECICO.]

12.18 Since election donations can only be lawfully spent for meeting or contributing towards meeting election expenses, donations and expenses are often corresponding to each other. For every item of election expense which is avoided or reduced by obtaining the goods supplied or services rendered free

of charge or at a discount, there should normally be a corresponding item of donation. The only exception is voluntary services obtained that are not treated as donations (any goods given incidental to the provision of a voluntary service will however be counted as an election donation). These points are elaborated in the paras. under Donations in Kind.

12.19 On receiving a donation, of money or in kind, of more than \$1,000 in value, a candidate must issue to the donor a receipt which specifies the name and address of the donor (as supplied by the donor). A standard form of receipt is obtainable from the RO and will be provided to a candidate at the time of his submitting his nomination form. While it is not uncommon that some donors would like to be anonymous, if a donation, in cash or in kind, is more than \$1,000 in value, then only where the donor's name and address (as supplied by the donor) are shown as required by the standard form of donation receipt can it be used as election donation. Donations exceeding \$1,000 or, in the case of an election donation consisting of goods, of more than \$1,000 in value received from anonymous donors must not be used for election expenses and must be given to a charitable institution or trust of a public character chosen by the candidate. [S 19(2) of the ECICO.] *[Amended in October 2006]*

### **Donations in Kind**

12.20 Donations in kind include goods and services obtained free of charge or at a discount. Unless the discount is generally available to all customers, the difference between the market/regular price and the price charged is a donation and must be declared and included as such and correspondingly as an election expense in the form of return. The same principle applies to loans obtained at no interest or at an interest rate lower than usual. Unless the facility is generally available to others, the interest not charged must be declared and included as a donation and election expense in the form of return. For premises provided free of charge to a candidate for his election campaign, a reasonable amount should be assessed as the deemed rental for the premises and such be included as a donation and election expense in the form of return.

12.21 For services or goods obtained free of charge, a candidate must include in the return their estimated value as if the expenses had been incurred. Where the services or goods are furnished by a person who deals in similar services or goods with the public, their estimated value should be assessed at the lowest price at which the person offers his services or goods to the public at the time when they are furnished. Where such services or goods are furnished by persons who do not deal in similar services or goods with the public, their estimated value should be assessed at the lowest market retail price at the time when they are furnished.

12.22 **Voluntary service** is the only service rendered free of charge which may be excluded from being counted as election expenses. In addition to being free of charge, the service must be provided by a natural person, voluntarily and personally, in his own time for the purpose of promoting the election of the candidate or candidates, or of prejudicing the election of another candidate or other candidates. [S 2 of the ECICO.] Otherwise, the service provided should be treated as a donation and counted towards election expenses at a fair estimated value.

#### **PART IV : RETURN AND DECLARATION OF ELECTION EXPENSES AND DONATIONS**

12.23 A candidate must keep an accurate account of all election expenses incurred and donations (whether in cash or in kind) received, and submit to **the RO a return and declaration of election expenses and donations in a specified form not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law** [s 37 of the ECICO].  
*[Amended in October 2006]*

12.24 The return must cover all the election expenses incurred by the candidate or the person(s) so authorised by him, services or goods obtained free of charge or at a discount and any unpaid claims. It must be submitted with supporting invoices and receipts, for all payments each of \$100 and above. The copies of receipts issued by the candidate for any donations of more than \$1,000 and those issued by charitable institutions or trusts of a public character for the collection of any unspent or excessive donations should also be attached [s 37 of the ECICO]. *[Amended in October 2004]*

12.25 At the time of his submitting his nomination form, a candidate will be given:

- (a) the specified form for making the return and declaration of election expenses and donations mentioned in para. 12.23 above, together with a standard form of receipt for donations mentioned in para. 12.19 above;
- (b) the specified form for advance return of donations (see para. 12.28 below);
- (c) a specimen of the specified form with examples showing how the return and declaration can be completed; and
- (d) explanatory notes on how to complete the returns.

A candidate should read the explanatory notes carefully in completing the return, and make reference to the specimen whenever necessary.

### **Omissions & Mistakes**

12.26 If a candidate is unable or fails to send to the RO the return and declaration of election expenses before the end of the permitted period or omits an item in it or makes a mistake in it, and such inability, failure, omission or error was due to his own illness or absence from Hong Kong or of the absence from Hong Kong, death, illness or misconduct of any agent or employee of the candidate or by reason of inadvertence or accidental miscalculation or any reasonable cause (but not by reason of want of good faith of the candidate), he has the right to make an application to the Court of First Instance for an order to send in the return and declaration late, or to correct the omission or mistake [s 40 of the ECICO]. When the candidate finds himself in such a situation, it would be wise of him to make the application to the Court and inform the RO as soon as possible. The legal costs so incurred will not be regarded as his election expenses. It is a corrupt conduct if a candidate who, in an election return lodged under s 37 of the ECICO, makes a statement that he knows or ought to know is materially false or misleading [s 20 of the ECICO]. *[Amended in October 2006]*

### **PART V : ADVANCE RETURN OF DONATIONS**

12.27 Any candidate who is an incumbent public servant under the Prevention of Bribery Ordinance (Cap 201) (“POBO”) eg a serving member of the LegCo or a DC, etc, may give advance disclosure to the RO of any donations received. This may enable such incumbent member to avoid any inadvertent contravention of the provisions of the POBO relating to the acceptance of “advantages”. The donations so disclosed must also be incorporated in the return and declaration of election expenses and donations to be submitted to the RO not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law [s 37 of the ECICO]. The general provisions regarding donations in Part III must be observed. *[Amended in October 2006]*

12.28 Any **advance return of donations** must be made on the specified form mentioned in para. 12.25.

12.29 Depending on the time and the number of donations received, a candidate may submit any number of advance returns of donations to the RO.



## **PART VI : ENFORCEMENT AND PENALTY**

### **Enforcement**

12.30 The returns will be made available at the office of the relevant RO for public inspection up to the first anniversary of the date on which the result of the election is published. Copies of the returns will be furnished to any person upon request subject to payment of copying fee at a fixed rate. [S 41 of the ECICO.] *[Amended in October 2004]*

12.31 Any complaint or report of breach of these guidelines may be made to the RO, the REO or to the EAC or its Complaints Committee direct. The EAC or its Complaints Committee may, after consideration, refer the cases to the relevant authorities for investigation and prosecution. *[Amended in October 2004]*

12.32 The RO will check all returns of election expenses and donations. Irregularities detected will be reported to the relevant authorities for investigation.

### **Penalties**

12.33 It is an illegal conduct for a candidate to incur election expenses in excess of the maximum amount prescribed. It is also an illegal conduct for a person, other than a candidate or a candidate's election expense agent, to incur election expenses. An election expense agent engages in illegal conduct if he incurs election expenses in excess of the amount authorised. Such illegal conduct is punishable by a fine of up to \$200,000 and imprisonment for up to 3 years. [S 22, 23 and 24 of the ECICO.] *[Amended in October 2004]*

12.34 A candidate who uses any donation for any purpose other than for meeting his election expenses, or fails to dispose of unspent or excessive donations in accordance with s 19 of the ECICO commits a corrupt conduct punishable by a fine of up to \$500,000 and imprisonment for up to 7 years. [Ss 6, 18 and 19 of the ECICO.] *[Amended in October 2004]*

12.35 A candidate who fails to submit the return and declaration of election expenses and donations by the prescribed date or who fails to provide an accurate account of all expenses incurred and all donations received with the required supporting receipted vouchers and donation receipts commits an offence, punishable by a fine of up to \$200,000 and imprisonment for up to 3 years. [S 38 of the ECICO.]

12.36 A candidate who knowingly makes a materially false or misleading statement in his return and declaration of election expenses and donations or any advance return of donations commits a corrupt conduct

punishable by a fine of up to \$500,000 and imprisonment for up to 7 years. [Ss 6 and 20 of the ECICO.]

12.37 A candidate, who having been elected as a VR, acts in the office or participates in the affairs of the Village without filing the return and declaration of election expenses and donations before the end of the permitted period commits an offence, punishable by a fine of \$5,000 for every day after such expiration on which he so sits or votes in such body. [S 39 of the ECICO.]

12.38 A person convicted of a **corrupt conduct or illegal conduct** within the meaning of the ECICO will, in addition to the penalties set out in paras. 12.33-12.37 of this Chapter, be disqualified:

- (a) for 5 years from being nominated or elected as a candidate for the election of, or elected as, the CE, a member of the LegCo or DC, or a VR from the date of the conviction [ss 14 and 20 of the CEEO, s 39 of the LCO, s 21 of the DCO and s 23 of the VRE Ord]; and
- (b) for 3 years from being nominated as a candidate for the election of, or elected or nominated as, an Election Committee member from the date of the conviction [ss 9 and 18 of the Schedule to the CEEO].

*[Amended in October 2006 and December 2009]*

## CHAPTER 13

### CORRUPT AND ILLEGAL CONDUCT

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- Part I : General
- Part II : Corrupt Conduct Relating to Nomination and Withdrawal of Candidates
- Part III : Illegal Conduct Relating to Electioneering
- Part IV : Corrupt Conduct Relating to Electioneering and Voting
- Part V : Corrupt and Illegal Conduct Relating to Election Expenses and Donations
- Part VI : Power of Court to Excuse Innocent Acts
- Part VII : Non-compliance with the Law and Sanction

#### PART I : GENERAL

13.1 This chapter sets out the guidelines against corrupt and illegal conduct in conducting election-related activities. It is important that candidates are aware of the common pitfalls in election activities, which may involve corrupt and illegal conduct, and take appropriate preventive measures to guard against committing offences out of oversight.

13.2 Provisions relating to corrupt and illegal conduct can be found in the ECICO. To help candidates and their agents get acquainted with the major provisions of the Ordinance, the Independent Commission Against Corruption (“ICAC”) has prepared a Handbook on the Ordinance, which is at **Appendix H** for easy reference.

- 13.3 A person who engages in:
- (a) a **corrupt conduct** will be liable to a fine of up to \$500,000 and imprisonment for up to 7 years and to pay to the court the amount or value or such part as specified by the court of any valuable consideration he or his agents received in connection with the conduct [s 6 of the ECICO]; and *[Amended in October 2004]*
  - (b) an **illegal conduct** will be liable to a fine of up to \$200,000 and imprisonment for up to 3 years [s 22 of the ECICO].

In addition to these penalties, a convicted person will be disqualified from being nominated as a candidate in elections . For details, please see para. 13.30 below. *[Added in October 2004 and amended in December2009]*

## **PART II : CORRUPT CONDUCT RELATING TO NOMINATION AND WITHDRAWAL OF CANDIDATES**

### **Offences relating to Candidature**

13.4 Any act to affect a person's candidature by bribery, force, duress or deception is prohibited. Candidature includes standing as a candidate, not standing as a candidate, or withdrawal of nomination. It will be a corrupt conduct if a person corruptly:

- (a) offers an advantage to another person as an inducement or reward to affect his candidature or for not using his best endeavours to promote his election;
- (b) offers an advantage to another person as an inducement or reward to affect the candidature of a third person or to get the third person not to use his best endeavours to promote his election;
- (c) solicits or accepts an advantage from another person as an inducement or reward to affect the candidature of himself or for not using his best endeavours to promote his election; or
- (d) solicits or accepts an advantage from another person as an inducement or reward to affect the candidature of a third person or to get the third person not to use his best endeavours to promote his election.

[S 7 of the ECICO.]

13.5 Similarly, a person engages in corrupt conduct if he uses force or duress against another person to affect the candidature of that person or a third person. The use of deception to induce another person to affect the candidature of that person or a third person is also a corrupt conduct. [Ss 8 and 9 of the ECICO.]

13.6 It will also be a corrupt conduct if a person defaces or destroys a nomination form with intent to prevent or obstruct another person from standing for election [s 10 of the ECICO].

## **PART III : ILLEGAL CONDUCT RELATING TO ELECTIONEERING**

### **False Statement that a Person is or is not a Candidate**

13.7 A person must not publish any statement that he is no longer a candidate at an election if he is a candidate, or that another person who has been nominated as a candidate is no longer a candidate at the election, or that he or another person is a candidate at an election, knowing that the statement is false [s 25 of the ECICO].

### **False or Misleading Statement about a Candidate**

13.8 A person must not publish any materially false or misleading statement of fact about a particular candidate or particular candidates for the purpose of promoting or prejudicing the election of the candidate or candidates. Similarly, a candidate must not publish any materially false or misleading statement of fact about himself or another candidate or other candidates for the purpose of promoting the election of himself or prejudicing the election of another candidate or other candidates. Any such publication will amount to an illegal conduct. It should be noted that materially false or misleading statements about a candidate include, but are not limited to, statements concerning the character, qualifications or previous conduct of the candidate to promote or prejudice the election of the candidate, eg a person who makes a materially false or misleading statement of fact, thereby calling into question the integrity and honesty of that candidate, may contravene the above provision. [S 26 of the ECICO.] *[Amended in September 2005]*

### **False Claim of Support**

[Please also see Chapter 14: Namedropping.] *[Added in October 2004]*

13.9 A candidate must obtain **prior written consent** from a person or an organisation before using the name or logo of that person or organisation, or a pictorial representation of that person in any of his election advertisements or activities as an indication of support from that person or organisation. Oral consent is **not** sufficient. [S 27 of the ECICO.] The RO provides a standardised consent form for this purpose. Any indication of support in election advertisements, be it a text, a photograph or any other material, must be covered by a written consent from the person or organisation concerned. A copy of the consent form must be deposited with the relevant RO prior to the display, distribution or otherwise use of the election advertisements [s 88(1)(d)(ii) of the EP (VRE) Reg]. It is important to note that it is still an offence even if such an election advertisement contains a statement to the effect that it does not imply support from the person or organisation concerned [s 27(4) of the ECICO]. It is also an offence for a person to give information which he knows or ought to know is materially false or misleading to a

candidate or candidates for promoting or prejudicing the election of the candidate or candidates [s 27(6) of the ECICO]. *[Amended in October 2006]*

13.9a A person or an organisation may give support to one or more of the candidates of a village even if they are competing in the same village, although that may cause confusion. This should be specified in the written consent. A standardised consent form is at **Appendix I**. Candidates are reminded that it is an offence to make a false claim of support [see Chapter 14: Namedropping]. *[Added in October 2004]*

13.10 Consent given can be revoked. In case of a revocation, in order to avoid dispute, it is advisable for the person or organisation who has revoked the consent to send a notice or copy of the revocation to the candidate concerned and to the relevant RO. Every candidate is required to deposit a copy of the completed consent forms with the relevant RO and to notify the RO in writing of any revocation of consent.

13.11 S 28 of the ECICO provides for an injunction order by the Court to restrain the publication of any materially false or misleading statement or false claim of support. An application for such an injunction order may be made by a candidate, his election agent, an elector of a particular Village and the person or body to whom or which the false information is related.

### **Requirements relating to Printed Election Advertisements**

13.12 Insofar as electioneering is concerned, it is also an offence if a candidate does not comply with the requirements relating to printed election advertisements. (For details of the requirements, please refer to Chapter 4 on Election Advertisements, in particular Parts I, VI and VII thereof.) *[Amended in September 2005]*

13.13 A person must, **not later than seven days after** publishing a printed election advertisement, deposit **two copies** of the advertisement to the relevant RO [s 34(4) of the ECICO].

13.14 The provisions of s 88 of the EP (VRE) Reg are more stringent. **Before** a candidate displays, distributes or otherwise uses an election advertisement, he must allocate a **number in a separate series** to each type of election advertisement, and make a **declaration** in a specified form to state the quantity of each type of election advertisement he proposes to so use. For a better control over the display of unauthorised election advertisements and to facilitate the ROs in handling such complaints, the declaration and **two copies** of the election advertisement must be deposited with the relevant RO **before** the election advertisement is displayed, distributed or used. If the relevant RO has not yet been appointed, the declaration and copies should be deposited with

the DHA. By doing so, the candidate would have complied with s 34(4) of the ECICO as mentioned in para. 13.13 above. *[Amended in October 2006]*

#### **PART IV : CORRUPT CONDUCT RELATING TO ELECTIONEERING AND VOTING**

##### **Bribery**

13.15 Any act to affect a person's voting preference by offering or soliciting an advantage is prohibited [s 11 of the ECICO]. Voting preference covers voting for a particular candidate or candidates, not voting at an election, or not voting for a particular candidate or candidates.

##### **Treating**

13.16 A person must not at any time provide or meet all or part of the cost of providing another person with any food, drink or entertainment for the purpose of influencing that person's or a third person's voting preference. Likewise, the corrupt solicitation or acceptance of any such treating is prohibited. [S 12 of the ECICO.]

13.17 The serving of only non-alcoholic drinks at an election meeting will not be deemed corrupt for the above purposes. [S 12(5) of the ECICO.] (An election meeting is any meeting held to promote or prejudice the election of a particular candidate or particular candidates. See Chapter 5 for details.)

13.18 Treating arises in daily situations. If it is used (by a candidate or another person) for promoting or prejudicing the election of a candidate, it is an offence. For example, a person or an organisation may host a banquet for a non-election-related purpose such as ceremonial gatherings to celebrate the Tin Hau Festival or the Lunar New Year but, during the occasion, innocently calls on the guests to vote for a particular candidate. In such an event, the candidate concerned should immediately disown or dissociate with whatever has been said or done to promote his candidature. Otherwise, he would be liable to being charged with an offence under s 12 of the ECICO, and the expenses so incurred would be counted towards his election expenses.

13.19 If a banquet, albeit apparently not related to any election, is used to treat guests corruptly for the purpose of promoting a candidate or prejudicing other candidates, then both the host and the candidate will be guilty of a corrupt conduct. Moreover, the host will commit an **offence** under s 23 of the ECICO if he has not yet been authorised in writing by the candidate to incur election expenses at or in connection with an election. *[Amended in September 2005]*

## **Force and Duress**

13.20 The use of force or duress against a person to induce him to vote or not to vote at an election, or to vote or not to vote for a particular candidate, or to get a third person to do so is a corrupt conduct. [S 13 of the ECICO.]

13.21 Persons in position to exert pressure and influence on others should be careful not to breach the above provisions under the ECICO, eg employers over employees, school principals or teachers over students, religious advisers over believers and doctors over patients, etc.

## **Voting Offences**

13.22 It is a corrupt conduct for any person:

- (a) to vote at an election knowing that he is not entitled to vote at that election;
- (b) to vote at an election after having knowingly or recklessly given materially false or misleading information to an electoral officer, or to vote at an election after having knowingly omitted to give material information to an electoral officer;
- (c) to vote at an election more than once except as expressly permitted by an electoral law; or *[Amended in October 2004]*
- (d) to vote at more than one RR Election or more than one IIR Election; or
- (e) to invite or induce another person to commit (a), (b), (c) or (d) above.

[S 16 of the ECICO.]

## **PART V : CORRUPT AND ILLEGAL CONDUCT RELATING TO ELECTION EXPENSES AND DONATIONS**

13.23 Candidates should be careful when handling election expenses and donations as non-compliance with the relevant requirements will be a corrupt or illegal conduct. For details of the requirements that have to be observed, please refer to Chapter 12: Election Expenses and Donations.

## **PART VI : POWER OF COURT TO EXCUSE INNOCENT ACTS**

13.24 S 31 of the ECICO provides a mechanism for a candidate to apply for a Court order to relieve himself of criminal responsibility if he



contravenes the illegal conduct provisions due to inadvertence, accidental miscalculation or any reasonable cause and was not due to bad faith. No prosecution against him may be instituted or carried on until the application is disposed of by the Court. He will not be liable to be convicted of an offence if the illegal conduct is the subject of a Court order.

13.24a A candidate who fails to provide the printing details or deposit copies of election advertisements with the relevant RO commits an offence [s 34 of the ECICO]. However, he may apply to the court for an order allowing the publication of the above election advertisements be excepted from the relevant requirements and relieving him from the penalties, provided that the court is satisfied that the non-compliance was due to inadvertence, an accidental miscalculation or any reasonable cause and was not due to bad faith *[Added in October 2004]*

13.25 A candidate who is unable or has failed to send to the RO the return and declaration of election expenses and donations before the end of the permitted period or omits an item in it or makes a mistake in it, and such inability, failure, omission or error was due to his own illness or absence from Hong Kong or of the absence from Hong Kong, death, illness or misconduct of any agent or employee of the candidate or by reason of inadvertence or accidental miscalculation or any reasonable cause (but not by reason of want of good faith of the candidate), has the right to make an application to the Court of First Instance for an order to send in the return and declaration late, or to correct the omission or mistake [s 40 of the ECICO]. When the candidate finds himself in such a situation, it would be wise of him to make the application to the Court and inform the RO as soon as possible. *[Amended in October 2006]*

## **PART VII : NON-COMPLIANCE WITH THE LAW AND SANCTION**

13.26 Any complaint or report of breach of these guidelines may be made to the RO, the REO or the EAC direct. The EAC may, after consideration, refer the cases to the relevant authorities for investigation and prosecution.

13.27 The ICAC may, subject to the decision of the Secretary for Justice, prosecute, issue a warning or caution to candidates and any other persons in appropriate cases concerning any breach of the electoral law or regulation, especially the ECICO.

13.28 The Director of Public Prosecutions has informed the EAC that the Department of Justice will not hesitate to prosecute appropriate cases of electoral offences.

13.29 The EAC may also issue public statements in such manner as it deems fit to reprimand or censure any non-compliance with these guidelines.

13.30 A person convicted of a corrupt conduct or illegal conduct under the ECICO will, in addition to the penalties set out in para. 13.3 of this chapter, be disqualified:

- (a) for 5 years from being nominated or elected as a candidate for the election of, or elected as, the CE, a member of the LegCo or DC, or a VR from the date of conviction [ss 14 and 20 of the CEEO, s 39 of the LCO, s 21 of the DCO and s 23 of the VRE Ord]; and
- (b) for 3 years from being nominated as a candidate for the election of, or elected or nominated as, an Election Committee member from the date of the conviction [ss 9 and 18 of the Schedule to the CEEO].

*[Amended in October 2006 and December 2009]*

13.31 It is worthy to note that the Courts of Hong Kong view election-related offences and contravention of the ECICO as serious crimes. On 27 November 1997, the Court of Appeal laid down sentencing guidelines that a person found guilty of any serious election-related offence should be punished by an immediate custodial sentence. *[Amended in October 2006]*

## CHAPTER 14

### NAMEDROPPING

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#### **False Claim of Support**

14.1 A candidate must obtain **prior written consent** from a person or an organisation before using the name or logo of that person or organisation, or a pictorial representation of that person in any of his election advertisements or activities as an indication of support from that person or organisation. Oral consent is **not** sufficient. [S 27 of the ECICO.] The RO provides a standardised consent form for this purpose. Any indication of support in election advertisements, be it a text, a photograph or any other material, must be covered by a written consent from the person or organisation concerned. The written consent is a requirement under the ECICO. It protects the candidates from unnecessary complaints and disputes which may arise if only oral consent is obtained. It also protects the electors from being misinformed as to whether a candidate has the support of a person or an organisation. Prior written consent is required if the inclusion of the name, logo or pictorial representation of a person or an organisation, as the case may be, implies support of the candidate concerned. What amounts to “support” will depend on the circumstances of each case. The question to consider is whether any reasonable man who has seen the pictorial representation would have the perception that the persons appearing in the election advertisement support the candidate. *[Amended in September 2005]*

14.1a It is important to note that it is still an offence even if such an election advertisement contains a statement to the effect that it does not imply support from the person or organisation concerned [s 27(4) of the ECICO]. It is also an offence for a person to give information which he knows or ought to know is materially false or misleading information to a candidate or candidates for the purpose of promoting or prejudicing the election of the candidate or candidates [s 27(6) of the ECICO]. *[Amended in September 2005]*

14.2 To avoid confusion, it is advisable for the written consent to set out clearly whether consent is given:

- (a) by a person in his personal capacity - in which case no mention should be made of any office title which he may have in the candidate’s election advertisements and campaign activities;
- (b) by a person in his official capacity - in which case his office title may be used by the candidate concerned for the said purposes;

- (c) by an organisation (which may be signed by an authorised person such as its director, chairman or chief executive, etc.) - in which case the name of the organisation may be used by the candidate concerned for the said purposes.

14.3 Care must also be exercised in the use of the office title of an individual and this should be cleared with the person concerned when seeking his written consent. In the case where an office bearer of an organisation wishes to use his office title to support a candidate, he should be careful not to give the impression that it represents the support of the whole organisation except where a decision has been so taken by the governing body of the organization or by a resolution of the members of that organisation passed at a general meeting. This will prevent dispute and dissatisfaction amongst the members. Depending on circumstances, the approval of an organisation or a committee may or may not be needed if an office bearer uses his office title to support a candidate. If a supporter being included in an election advertisement bears the title of “the principal of a school” (for example, “Chan Tai Man, the Principal”) or “chairman of an owners’ corporation” (for example, “Chan Tai Man, Chairman of Owners’ Corporation”), it would not be necessary for the candidate to seek the consent of the owners’ corporation or the school concerned since there is no specific mentioning of which school or owners’ corporation. However, it would be desirable for the candidate to seek the organisation’s prior written approval as well if the election advertisement is posted in the building or the school in which he is serving. *[Amended in October 2006]*

14.4 When a candidate has obtained consent of support from a person who holds a certain position in an organisation, he must make sure that in his election advertisements he does not misrepresent that he has the support of the organisation. He must ensure that his election advertisements do not give any misleading information that he has the support of the organisation as opposed to the person who holds the position in the organisation. When he has the support of an organisation, he must ensure that his election advertisements do not represent or give a misleading impression that he has the support of all the members of that organisation, unless the decision of that organisation in giving him support was made at a meeting of all its members present and voting.

14.4a Consent of support in writing by an organisation must be approved by the governing body of the organisation or by a resolution of the members of the organisation passed at a general meeting [s 27(5) of the ECICO]. Candidates should note that the Home Affairs Department has its own guidelines for Mutual Aid Committees and their office bearers in respect of their giving consent of support to candidates. A copy of such guidelines can be found at **Appendix J**. *[Added in October 2004]*

14.5 Consent can be given to two or more candidates of a village, even if they are competing in the same village, although that may cause confusion. Consent given can be revoked. In case of a revocation, in order to avoid dispute, it is advisable for the person or organisation who has revoked the consent to send a notice or copy of the revocation to the candidate concerned and to the RO. *[Amended in October 2004]*

14.6 Once consent has been revoked, the candidate concerned should be careful to cease immediately using any election advertisement which contains the support of the person or organisation who has made the revocation. The costs incurred for the production of election advertisements bearing such support which have been used before revocation should still be regarded as the candidate's election expenses and be declared in the return and declaration of election expenses and donations.

14.6a On the question of whether expenditure incurred by an election advertisement will need to be borne by candidate A if candidate A's name or photograph appears in the election advertisement of candidate B to indicate support for candidate B, this would depend on whether the publicity material in question has explicitly or implicitly promoted the election of candidate A. There may be 2 different scenarios in such cases:

#### **Scenario A**

If the appearance of candidate A in candidate B's election advertisement is solely to indicate support for candidate B but not to promote the election of candidate A, the election advertisement should not be treated as a joint election advertisement. The election expenses incurred should be counted as candidate B's election expenses only, but not as candidate A's. Candidate B has to obtain the prior written consent of support from candidate A before using candidate A's names or photographs in his election advertisements [s 27 of the ECICO].

#### **Scenario B**

If candidate B wishes to publish the election advertisements for promoting his candidature and that of candidate A as well, he must obtain prior written authorisation by candidate A to act as his election expense agent and the expenses so incurred will have to be borne by the candidates A and B in equal or unequal shares as their respective election expenses, to be calculated by the proportion of the size of the portion advertising each.

*[Added in October 2004]*

14.6b It is not uncommon for candidates to put photographs in their election advertisements to show their past activities. However, it may be possible for electors to believe that those persons appearing in the photograph support a particular candidate when they receive such election advertisements. To minimize misunderstanding, for instance, if an election advertisement carries a photograph of the candidate attending an activity with other attendees, a caption specifying the particular nature of the event could be added underneath the photograph in such a way that will not imply, or likely to cause electors to believe, that the candidate has the support of the other people appearing in the photograph. If the photograph is likely to cause electors to believe that the candidate has the support of the other people appearing in the photograph, it is advisable that prior written consent of support should be obtained by the candidate. *[Added in October 2004]*

14.6c To avoid misleading the electors to believe that a candidate has obtained support from a certain person, organisation, government agency or department, which is not the case, a candidate should not attach any materials published by any such person, organisation, government agency or department together with his own election advertisements. *[Added in October 2004]*

### **Form of Consent**

14.7 The standard form “**Consent of Support**” is at **Appendix I**. It should be noted that the form is designed to cover a specific village in a particular village representative election. *[Amended in October 2004]*

14.8 There are occasions (as allegations and complaints were received) requiring confirmation of the compliance of the law by a candidate. Therefore, every candidate is **required to deposit a copy** each of the **completed consent** forms with the relevant RO before the display, distribution or otherwise use of the relevant election advertisement [s 88(1)(d)(ii) of the EP (VRE) Reg]. The relevant RO will then be in a position to answer such enquiries, thus saving the trouble and sometimes the embarrassment of the candidates. Candidates are also **required to notify** the RO in writing of any **revocation** of consent. Such consent forms and notices of revocation (with the identity document numbers of the persons involved obliterated) will be made available for public inspection at the office of the relevant RO.

### **Penalty**

14.9 It is an illegal conduct under the ECICO for a person to make any false claim of support (ie a claim without **prior** written consent from the person or organisation concerned). For details of penalty and sanction, please refer to para. 13.3(b) and Part VII of Chapter 13.

## CHAPTER 15

### ATTENDANCE OF PUBLIC FUNCTIONS BY BOTH GOVERNMENT OFFICIALS AND CANDIDATES

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- Part I : General  
Part II : Attendance of Public Functions by Government Officials  
Part III : Attendance of Public Functions by Candidates

#### **PART I : GENERAL**

15.1 This chapter deals with the subject of government officials attending public functions which are also attended by candidates.

#### **IMPORTANT:**

“Candidate” includes a person who has publicly declared an intention to stand for election at any time before the close of nominations for the election whether or not he has submitted a nomination form [s 2 of the ECICO].

15.2 A civil servant who engages in VR elections as a candidate needs to avoid conflicts of interest, having regard to the nature of his current duties. He should also avoid participation in election-related activities that may arouse any suspicion of conflicts of interest or his using public resources.

15.3 To avoid any unfairness, semblance of unfairness or conflicts of interest, civil servants who work in a Village or have extensive contacts with the public in a Village including, in particular, staff members of the HAD are strongly advised not to participate in electioneering activities.

#### **PART II : ATTENDANCE OF PUBLIC FUNCTIONS BY GOVERNMENT OFFICIALS**

##### **On the Occasion of being Invited**

15.4 Government officials should exercise care in accepting invitations from persons or organisations to attend any public function that may also be attended by a candidate(s) (“the function”).

15.5 They should take such care when any person has publicly declared an intention to run for election in respect of a particular Village or

when the nomination commences, whichever is the earlier, up to the end of the polling day.

15.6 Before deciding to attend the function, a government official should satisfy himself that:

- (a) by attending the function, he is performing an official duty normally required of the post he is currently holding; and
- (b) to his best knowledge, the organiser of the function has no intention whatsoever of making use of the function to promote or prejudice any candidate.

### **When Attending**

15.7 The EAC appeals to government officials not to have photographs taken with candidates at the function since such photographs, if published, may be seen as the official lending support to the candidate. A government official may do so, however, if the photograph taking:

- (a) arises from the need for him to perform his official duty at the function normally required of the post he is currently holding;
- (b) is a natural part of the function which, if the official declines to participate, would be seen as breaching the protocol appropriate to that function; or
- (c) is participated by all other candidates of the same Village.

### **PART III : ATTENDANCE OF PUBLIC FUNCTIONS BY CANDIDATES**

15.8 Similarly, the EAC appeals to all candidates who attend public functions not to have photographs taken with the officials, since such photographs, if published, may be seen as an unfair advantage over other candidates. A candidate may do so, however, if the photograph taking:

- (a) arises from the need for him to perform his role at the function as requested by the function organiser;
- (b) is a natural part of the function which, if the candidate declines to participate, would be seen as breaching the protocol appropriate to that function; or
- (c) is participated by all other candidates of the same Village.



## CHAPTER 16

### ELECTION PETITIONS

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16.1 Five or more electors entitled to vote at a VR election or a person claiming to have been a candidate at the election may question the result of that election by lodging an election petition to the Court of First Instance [Ss 39, 40 and 42 of the VRE Ord]. The election petition may be lodged –

- (a) on the ground that the person declared by the RO concerned to have been elected as a VR at that election was not duly elected because –
  - (i) the person was not eligible to be, or was disqualified from being, a candidate at the election; or
  - (ii) corrupt or illegal conduct was engaged in by or in respect of that person at or in connection with the election; or
  - (iii) corrupt or illegal conduct was generally prevalent at or in connection with the election; or
  - (iv) material irregularity occurred in relation to the election, or the polling or counting of votes at the election; or
- (b) on a ground specified in any other enactment that enables an election to be questioned.

16.2 An election petition questioning an election may be lodged with the Court of First Instance only during the period of two months following the date on which the RO has published the result of the election in the Gazette. An election petition is triable in open court and before one judge. At the end of the trial of an election petition, the court must determine questions of the validity of a nomination or an election, as appropriate. The Court must certify the determination in writing. The determination as certified is final as to the matters at issue concerning the election petition. [Ss 42, 43, 45 of the VRE Ord]. *[Amended in October 2004]*

## CHAPTER 17

### COMPLAINTS PROCEDURE

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Part I	: General
Part II	: To Whom a Complaint may be made
Part III	: Time and Procedure for Making Complaints
Part IV	: Complaints Inside a Polling Station
Part V	: The Processing of Complaints
Part VI	: EAC's Report on Complaints
Part VII	: Obligations of the DHA, ROs, PROs and REO
Part VIII	: Sanction for False Complaint

#### **PART I : GENERAL**

17.1 This chapter deals with the procedure for making complaints relating to any breach of or non-compliance with the Guidelines and the EP (VRE) Reg or the spirit of them which are for ensuring that elections are conducted honestly, fairly and openly.

17.2 A complaint against criminal, illegal or corrupt activities may be made direct to the relevant authorities such as the Police or the ICAC. The procedures for making and processing such a complaint will be handled by these authorities, and are not covered by this chapter.

#### **PART II : TO WHOM A COMPLAINT MAY BE MADE**

17.3 The EAC is an independent, apolitical and neutral body established by the EACO to deal with all matters concerning the conduct of elections including handling election-related complaints. The EAC may, if necessary, set up a **Complaints Committee** consisting of its 3 members and, sometimes, one or more judges of the District Court or High Court for the purpose of dealing with complaints. *[Amended in October 2004]*

17.4 Without limiting the right of a citizen to make a complaint to the Police or the ICAC or other authorities, a complaint for breach of or non-compliance with the EP (VRE) Reg or Guidelines or relating to election matters can be made to one of the following bodies or persons:

- (a) the RO of the relevant Village appointed by the EAC to deal with electoral arrangements;
- (b) the REO; or

- (c) the EAC.

17.5 Caution: if the complaint is against the conduct, behaviour, or acts of any of the HAD/REO officers or the RO personally, it should be addressed to the EAC and marked “CONFIDENTIAL” in order to ensure that only the EAC will receive it.

### **PART III : TIME AND PROCEDURE FOR MAKING COMPLAINTS**

17.6 The Guidelines deal with election-related activities, and any non-compliances, abuses and irregularities that can be redressed should be remedied as soon as practicably possible. It is **imperative** that **all complaints should be made as soon as possible**, for any delay in the making of complaint may result in remedial measures being useless or futile and necessary evidence being lost. No complaint received **later than 45 days** after the last polling date of an election will be entertained.

17.7 No specified or specific form is required for making a complaint. A complaint can be made either orally or in writing, either in Chinese or in English. A person who wishes to make an oral complaint can call the Complaints Hotline.

17.8 In each case, the complainant is required to identify himself and provide his identity document number, address, telephone number and other means of communication. A written complaint must be signed. Save where it relates to a matter of minor nature or which requires urgent action, an oral complaint received will be recorded in writing and the complainant will be required to sign the written record afterwards. All personal particulars of a complainant will be **treated in strict confidence**.

### **PART IV : COMPLAINTS INSIDE A POLLING STATION**

17.9 If a person has any complaint about whatever happens inside a polling station, he should follow the following procedures:

- (a) He should direct his complaint to the PRO, the Deputy PROs or Assistant PROs immediately.
- (b) If the matter is not resolved, or if the complainant still feels aggrieved or if his complaint is directed at the PRO, the Deputy PROs or Assistant PROs, he should as soon as possible report the matter to the RO by using the telephone numbers appearing in the guide on procedures for complaint.

- (c) Where the matter is still not resolved by the RO, the complainant should without any delay telephone the Complaints Hotline of the REO to report his complaint by giving a gist thereof. He should then try to obtain as much evidence as possible in order to substantiate his complaint. As he is not allowed to talk to or communicate with any elector inside the polling station, he may need to go outside the polling station to obtain necessary evidence.
- (d) A member of the EAC or an officer of the REO will handle the complaint as soon as practicable.

A copy of the guide on procedures for complaint at a polling station (together with telephone numbers of the relevant ROs and the REO Complaints Hotline) will be available for inspection inside each polling station.

17.10 The PROs or their Deputy or Assistant PROs must record any complaint mentioned in para. 17.9(a) and (b) and any other complaints and enquiries concerning an elector's data.

## **PART V : THE PROCESSING OF COMPLAINTS**

17.11 The DHA, the ROs and the PROs are obliged under s 87 of the EP (VRE) Reg to report irregularities to the EAC. By these guidelines, they are also required to report all complaints received by them to the EAC. Except where a complaint is of a minor nature or the ROs have been delegated with the authority to deal with it, any complaint received by the ROs or the REO will be forwarded to the EAC with comments and all the relevant information relating to the complaint. When the EAC receives a complaint, it may seek additional information and comments from the relevant RO or the REO, if necessary.

17.12 The EAC, the ROs or the REO (when they are so authorised by the EAC), may seek further information on the complaint from the complainant or may arrange interviews with the complainant in order to seek clarification or evidence. The complainant may be required to make a statutory declaration for the truth and correctness of his complaint or statement. If the further information required is not provided by the complainant or if he refuses to be interviewed or to make the statutory declaration, the EAC, the ROs or the REO may or may not take further action on the complaint.

17.13 All bona fide complaints will be processed and considered by the ROs who have been delegated with the necessary authority or by the EAC, as soon as reasonably practicable, taking into account the merits of the complaint with all the information and evidence gathered [s 6(3) of the EACO].

17.14 Where a complaint is substantiated, a decision will be made on the appropriate course to be taken, including one or more of the following:

- (a) take remedial measures against the matter complained of, such as the removal of election advertisements displayed in breach of the guidelines in that regard;
- (b) issue to the relevant person a warning on the matter under complaint after making a reasonable effort to contact the person and to give him a reasonable opportunity to give explanations. Where necessary, immediate rectification action against complaints proven on the spot should be taken without delay. *[Amended in February 2005]*;
- (c) publish a public statement of reprimand or censure against the acts or omissions and the person or persons complained of [see various chapters in these Guidelines] after making a reasonable effort to contact the person or persons and giving him or them a reasonable opportunity to make representations [s 6(4) of the EACO];
- (d) with or without comments, refer the matter to the ICAC for investigation and/or further action [s 5(e) of the EACO]; and
- (e) with or without comments, refer the matter to the Secretary for Justice or the Police for further action such as prosecution of the culprit [s 5(e) of the EACO].

17.15 The EAC will also notify the complainant in writing of its decision, and if the decision is that the complaint is not substantiated, it will also give reasons.

## **PART VI : EAC'S REPORT ON COMPLAINTS**

17.16 The EAC is required to report to the CE on any complaint made to it in connection with an election within three months of the conclusion of the election [s 8(1) and (2) of the EACO].

## **PART VII : OBLIGATIONS OF THE DHA, ROs, PROs AND REO**

17.17 The ROs, the PROs and the REO are required to report as soon as practicable to the EAC (in writing or otherwise as circumstances may demand) on any complaints received by them.

17.18 In accordance with s 87 of the EP (VRE) Reg, the DHA, the ROs and the PROs are required to report as soon as practicable to the EAC (in writing or otherwise as circumstances may demand) on any occurrence which they consider to be a material irregularity relating to an election, a poll or the counting of votes.

### **PART VIII : SANCTION FOR FALSE COMPLAINT**

17.19 Any person who knowingly makes or causes to be made to an ICAC officer a false report of the commission of any offence or misleads such an officer by giving false information or by making false statements or accusations is guilty of an offence punishable by \$20,000 and imprisonment for 1 year [s 13B of the ICAC Ordinance (Cap 204)]. A similar offence is committed where a false report is made or false information given to a police officer [s 64 of the Police Force Ordinance (Cap 232)]. If a person knowingly makes a false complaint of the commission of any offence to the EAC knowing that the EAC will refer or direct such complaint and information to the ICAC or the Police, the person concerned will similarly be guilty of the relevant offence. If a person knowingly and wilfully makes to the EAC, the ROs or the REO a statement false in a material particular and such a statement is in a statutory declaration, he commits an offence punishable by imprisonment for 2 years and a fine [s 36 of the Crimes Ordinance (Cap 200)]. *[Amended in October 2006]*

**Village Representative Elections**  
**Action Checklist for Candidates**

**A. Major Steps to be Observed**

<b><u>Time</u></b>	<b><u>Action</u></b>
1 week before and during Nomination Period	1. Obtain the Nomination Form from the Returning Officer (“RO”) or relevant District Office (“DO”) of the Home Affairs Department (HAD), or download the form from Village Representative Elections website: <a href="http://www.had.gov.hk/vre">http://www.had.gov.hk/vre</a> .
During Nomination Period	2. Personally deliver the duly completed Nomination Form to RO before expiry of the Nomination Period.
	3. Obtain from the RO relevant documents including the following: <ul style="list-style-type: none"><li>(a) copies of the relevant legislation;</li><li>(b) relevant extracts from the Final Register of Electors, both hard and soft copies, on signing an Undertaking on the Use of Electoral Records;</li><li>(c) information regarding display spots on government land or property, if any, that are available to candidates for display of election advertisements;</li><li>(d) two copies of the ICAC Information Booklet for VR Elections (one copy for the candidate and another copy for the election agent).</li><li>(e) forms –<ul style="list-style-type: none"><li>(i) Notice of Appointment of Election Agent</li><li>(ii) Notice of Authorisation of Person to Incur Election Expenses</li><li>(iii) Return and Declaration of Election Expenses and Donations</li><li>(iv) Notice of Appointment of Polling Agents</li><li>(v) Application for admission of an election agent or polling agent(s) to a dedicated polling station situated in a prison (other than a maximum security prison)</li></ul></li></ul>

**Time**

**Action**

- |  |  |
|--|--|
| <p>Any time before, during or after handing in Nomination Form</p> | <ul style="list-style-type: none"> <li>(vi) Notice of Appointment of Counting Agents</li> <li>(vii) Notice of Revocation of Appointment of Agent</li> <li>(viii) Notice of Revocation of Authorisation to Incur Election Expenses</li> <li>(ix) Notice of Withdrawal of Candidature</li> <li>(x) Declaration of Election Advertisements</li> <li>(xi) Corrective Declaration of Election Advertisements</li> <li>(xii) Notification of Decision on Electioneering Activities</li> <li>(xiii) Consent of Support</li> <li>(xiv) Permission for Display / Distribution of Election Advertisements or Conduct of Electioneering Activities at Private Premises</li> <li>(xv) Standard Receipt for Election Donations</li> <li>(xvi) Declaration of Secrecy</li> <li>(xvii) Advance Return of and Declaration of Election Donations</li> <li>(xviii) Notification of the Intention to hold a Public Meeting/Procession;</li> </ul> <p>4. Lodge with the RO a Notice of Withdrawal of Candidature if the candidate wishes to withdraw his/her candidature.</p> <p>5. (a) Except for the categories exempted, assign a serial number to all copies of each type of election advertisements (“EAs”) intended for display or distribution.</p> <p>(b) Submit to the RO a Declaration of Election Advertisements before display or distribution of EAs. Candidates may submit as many declarations as required from time to time.</p> |
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<b><u>Time</u></b>	<b><u>Action</u></b>
	<ul style="list-style-type: none"> <li>(c) Ensure that all printed EAs contain the name and address of the printer, date of printing and the number of copies printed.</li> <li>(d) Submit to the RO 2 copies of each type of EAs before their display or distribution.</li> <li>(e) Submit to the RO, before display or distribution of election advertisements on private premises, a copy of Authorisation for Display / Distribution of Election Advertisements or Conduct of Electioneering Activities at Private Premises.</li> <li>(f) Submit to the RO, before display or distribution of EAs, a copy of Consent of Support, where necessary.</li> </ul>
Any time after handing in Nomination Form	<ul style="list-style-type: none"> <li>6. Lodge with the RO a Notice of Appointment of Election Agent.</li> <li>7. Lodge with the RO Notices of Authorisation of Persons to Incur Election Expenses.</li> <li>8.               <ul style="list-style-type: none"> <li>(a) Lodge with the RO Notices of Appointment of Polling Agents.</li> <li>(b) Lodge with the RO Notices of Appointment of Counting Agents.</li> </ul> </li> <li>9. Submit to the RO an Advance Return and Declaration of Election Donations when a donation is received.</li> </ul>
Any time after handing in Nomination Form, but before expiry of Nomination Period	<ul style="list-style-type: none"> <li>10.               <ul style="list-style-type: none"> <li>(a) Lodge with the RO 3 identical passport-size colour photographs of the candidate taken not longer than six months ago.</li> <li>(b) Lodge with the RO an introductory message for publication in the official introductory leaflet.</li> </ul> </li> </ul>
Any time after handing in Nomination Form, but not later than 1 week before polling day	<ul style="list-style-type: none"> <li>11. Lodge with the RO Notices of Appointment of Polling Agents, if submission has not been made under para. 8(a).</li> </ul>

<b><u>Time</u></b>	<b><u>Action</u></b>
	<p>12. Lodge with the DHA on a specified form for seeking consent of the Commissioner of Correctional Services (“CCS”) to the presence of an election agent or a polling agent at a dedicated polling station situated in a prison (other than a maximum security prison).</p> <p>(Note: (a) No consent will be given to the presence of an election agent at a dedicated polling station situated in a prison (other than a maximum security prison) if the CCS has already given consent to the presence of a polling agent of the same candidate at that polling station. On the other hand, if consent has been given by the CCS to the presence of an election agent at a dedicated polling station situated in a prison, no polling agent may be present at that polling station.)</p> <p style="padding-left: 40px;">(b) No polling agent and election agent may be present at a dedicated polling station situated in a maximum security prison.)</p>
Any time after handing in Nomination Form, but not later than 3 working days before polling day	13. Lodge with the RO Notices of Appointment of Counting Agents, if not yet done under para. 8(b).
Within three days after close of nomination	<p>14. Attend the briefing for candidates and collect from the RO name badges for candidates and their agents.</p> <p>15. Attend meetings held by the RO to determine, by drawing of lots, the candidate numbers and to allocate display spots, if any, for display of EAs.</p> <p>16. Obtain the permission/licence from the relevant authority for display at display spots.</p>
Within 5 days after expiry of Nomination Period	17. Receive from the RO information about the election agents appointed by all candidates.
Within 14 days after expiry of Nomination Period	<p>18. (a) Receive from the RO the notice on all other validly nominated candidates.</p> <p style="padding-left: 40px;">(b) Receive from the RO location plans and layout plans of the polling stations, counting station and ballot paper sorting station, if any.</p>

<b><u>Time</u></b>	<b><u>Action</u></b>
During the week before the polling day	19. Lodge with the DHA on a specified form for seeking the CCS's consent to the presence of an election agent or a polling agent at a dedicated polling station situated in a prison (other than a maximum security prison) ONLY if –  (a) an elector imprisoned or held in custody who is entitled to vote for the relevant Village at the aforesaid dedicated polling station situated in a prison is admitted or transferred to the prison during that week; and  (b) the application is lodged without undue delay after the admission or transfer.
Not later than 2 days before polling day	20. Receive from the RO information regarding the delineation of no canvassing zones and no staying zones for the polling stations (including dedicated polling stations).
Not later than 12:00 noon on the day preceding polling day	21. Lodge with the RO Corrective Declarations of Election Advertisements, if any.
24 hours before counting	22. Receive information from the RO on when and where the counting/sorting of votes is to take place.
Before entering the polling, counting station or the ballot paper sorting station	23. Complete the Declarations of Secrecy (to be made by all candidates, their election agents, polling agents and counting agents).
Any time before polling day	24. Lodge with the RO Notices of Revocation of Appointment of Agent, if any.
On polling day	25. Attend the poll and the count if the candidate so wishes, bringing along the Declaration of Secrecy.  26. 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 other than a PRO of a dedicated polling station situated in a prison, if not yet submitted to the RO under paras. 11 and 24 respectively.

<b><u>Time</u></b>	<b><u>Action</u></b>
	27. Candidates or their election agents personally deliver Notices of Appointment of Counting Agents and Notices of Revocation of Appointment of Agent to RO, if not yet submitted under paras. 13 and 24 respectively.
Within 10 days after polling day	28. Remove all EAs on display.
Not later than 30 days after the publication in the Gazette of election result or the termination or failure of election proceedings (If uncontested, the election result will be gazetted in the Notice of Nominations)	29. (a) Lodge with the RO 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 Village Representative is required by the law to lodge with the RO 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 of the publication in the Gazette of the Notice of Nominations.

## **B. Handling and Declaring Election Expenses**

### ***Records Keeping***

### ***Before and After Nomination***

1. Record all expenses spent and all donations received.
2. Keep vouchers/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 HAD.)
4. Keep copies of all Declaration of Election Advertisements and copies of the EAs lodged with the RO.

### ***Appointment of Election 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 appoint an election agent or election expense agent;
- (d) to incur election expenses unless he has been appointed as an election expense agent by the candidate;
- (e) to revoke the appointment of an election agent or election expense agent; and
- (f) to be present in a dedicated polling station situated in a maximum security prison.

6. Please refer to paragraph 3.4 of the Guidelines for qualifications of election agent.

***Appointment of Election Expense Agents***

7. 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.

8. Please refer to paragraph 3.4 of the Guidelines for qualifications of election expense agent.

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

9. Lodge with the RO the Notice of Appointment of Election Agent at any time after handing in Nomination Form.

10. The candidate must serve a notice of the authorisation for persons to incur election expenses on the RO. It is important to note that the authorisation is not effective until it has been received by the RO.

11. Two copies of each type of EAs must be deposited with the RO together with a Declaration of Election Advertisements before distribution.

***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 or Failure of Election Proceedings***

12. The completed return and declaration should be submitted together with all supporting vouchers and receipts.

13. The completed form should include all election expenses incurred by the candidate, or by the

candidate's agents or by the candidate's contractors and also the removal cost for his EAs by Government Departments, if he has not removed all his EAs by the deadline specified by the EAC. ***Candidates are required to submit their returns even if no election expenses have been incurred.***

14. A candidate must make declaration before a Commissioner for Oaths or a Justice of the Peace or a solicitor holding a practising certificate.
15. (a) A candidate must lodge his completed return with the RO by the deadline (ie not later than 30 days after the publication in the Gazette of election result or declaration of termination or failure of election proceedings).  
  
(b) For an uncontested candidate who is returned as a Village Representative, he must lodge his completed election return not later than 30 days after the publication in the Gazette of the Notice of Nominations.
16. 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 RO within such further period as the Court specifies.
17. If a candidate wishes to change any information in his election return before the deadline, he may lodge with the RO a supplement to his return before the deadline.
18. 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 December 2009]*

**A List of Existing Village,  
Indigenous Village and  
Composite Indigenous Village**

**EXISTING VILLAGE**

	<i>Name of village</i>	<i>Number of persons to hold the office of resident representative</i>	<i>Rural Committee</i>
1.	A Ma Wat (亞媽笏)	1	Sha Tau Kok District Rural Committee
2.	A Shan (鴉山)	1	Tai Po Rural Committee
3.	Ah Kung Kok Fishermen Village (亞公角漁民新村)	1	Sha Tin Rural Committee
4.	Ap Chau (鴨洲)	1	Sha Tau Kok District Rural Committee
5.	Au Ha (凹下)	1	Sha Tau Kok District Rural Committee
6.	Au Pui Wan (坳背灣)	1	Sha Tin Rural Committee
7.	Chai Kek (寨𨋖)	1	Tai Po Rural Committee
8.	Chap Wai Kon (插桅杆)	1	Sha Tin Rural Committee
9.	Chau Tau (洲頭)	1	San Tin Rural Committee
10.	Che Ha (輦下)	1	Sai Kung North Rural Committee
11.	Che Keng Tuk (輦徑篤)	1	Sai Kung Rural Committee
12.	Chek Keng (赤徑)	1	Sai Kung North Rural Committee
13.	Chek Lap Kok (赤鱸角)	1	Tung Chung Rural Committee
14.	Chek Nai Ping (赤坭坪)	1	Sha Tin Rural Committee
15.	Cheung Kong Tsuen (長江村)	1	Pat Heung Rural Committee
16.	Cheung Lek (長瀝)	1	Sheung Shui District Rural Committee

17.	Cheung Lek Mei (長瀝尾)	1	Sha Tin Rural Committee
18.	Cheung Muk Tau (樟木頭)	1	Sai Kung North Rural Committee
19.	Cheung Po Tsuen (長埔村)	1	Pat Heung Rural Committee
20.	Cheung Sha Lower Village (長沙下村)	1	South Lantao Rural Committee
21.	Cheung Sha Upper Village (長沙上村)	1	South Lantao Rural Committee
22.	Cheung Sheung (嶂上)	1	Sai Kung North Rural Committee
23.	Cheung Shue Tan (樟樹灘)	1	Tai Po Rural Committee
24.	Cheung Uk Tei (張屋地)	1	Tai Po Rural Committee
25.	Choi Uk Tsuen (蔡屋村)	1	Shap Pat Heung Rural Committee
26.	Chok Ko Wan and Pa Tau Kwu (竹篙灣及扒頭鼓)	1	Ma Wan Rural Committee
27.	Chow Tin Tsuen (週田村)	1	Ta Kwu Ling District Rural Committee
28.	Chuen Lung (川龍)	1	Tsuen Wan Rural Committee
29.	Chuk Hang Tsuen (竹坑村)	1	Pat Heung Rural Committee
30.	Chuk Yuen (竹園)	1	Ta Kwu Ling District Rural Committee
31.	Chuk Yuen (竹園)	1	San Tin Rural Committee
32.	Chung Hau (North) (涌口(北))	1	Mui Wo Rural Committee
33.	Chung Hau (South) (涌口(南))	1	Mui Wo Rural Committee
34.	Chung Kwai Chung (中葵涌)	1	Tsuen Wan Rural Committee
35.	Chung Mei Tsuen (涌美村)	1	Tsing Yi Rural Committee
37.	Chung Uk Tsuen (鍾屋村)	1	Tai Po Rural Committee
38.	Chung Uk Tsuen (鍾屋村)	1	Tuen Mun Rural Committee
39.	Fa Peng, Tso Wan and Tai Chuen (花坪、草灣及大轉)	1	Ma Wan Rural Committee
40.	Fan Lau (汾流)	1	Tai O Rural Committee
41.	Fan Leng Lau (粉嶺樓)	1	Fanling District Rural Committee



42.	Fan Tin San Yi Cho (蕃田 莘野祖)	1	San Tin Rural Committee
43.	Fanling Wai (粉嶺圍)	1	Fanling District Rural Committee
44.	Fo Tan (火炭)	1	Sha Tin Rural Committee
45.	Fong Ma Po (放馬莆)	1	Tai Po Rural Committee
46.	Fu Tau Chau (斧頭洲)	1	Hang Hau Rural Committee
47.	Fu Tei Pai (虎地排)	1	Fanling District Rural Committee
48.	Fu Tei Tsuen (虎地村)	1	Tuen Mun Rural Committee
49.	Fu Yung Pei (芙蓉泌)	1	Sha Tin Rural Committee
50.	Fui Sha Wai (灰沙圍)	1	Ping Shan Rural Committee
51.	Fui Yiu Ha and Tse Uk (灰 窰下及謝屋)	1	Sha Tin Rural Committee
52.	Fuk Hang Tsuen (Lower) (福亨村(下))	1	Tuen Mun Rural Committee
53.	Fuk Hang Tsuen (Upper) (福亨村(上))	1	Tuen Mun Rural Committee
55.	Fung Chi Tsuen (鳳池村)	1	Ping Shan Rural Committee
56.	Fung Hang (鳳坑)	1	Sha Tau Kok District Rural Committee
57.	Fung Ka Wai (馮家圍)	1	Ping Shan Rural Committee
58.	Fung Kat Heung (逢吉鄉)	1	Kam Tin Rural Committee
59.	Fung Kong Tsuen (鳳降村)	1	Ha Tsuen Rural Committee
60.	Fung Wong Wu (鳳凰湖)	1	Ta Kwu Ling District Rural Committee
61.	Fung Yuen (鳳園)	1	Tai Po Rural Committee
62.	Ha Che Tsuen (下輦村)	1	Pat Heung Rural Committee
63.	Ha Fa Shan (下花山)	1	Tsuen Wan Rural Committee
64.	Ha Hang (下坑)	1	Tai Po Rural Committee
65.	Ha Keng Hau (下徑口)	1	Sha Tin Rural Committee
66.	Ha Kwai Chung (下葵涌)	1	Tsuen Wan Rural Committee
67.	Ha Ling Pei (下嶺皮)	1	Tung Chung Rural Committee
68.	Ha Mei San Tsuen (蝦尾新 村)	1	Ping Shan Rural Committee

69.	Ha Pak Nai Tsuen (下白泥村)	1	Ha Tsuen Rural Committee
70.	Ha Shan Kai Wat (下山雞乙)	1	Ta Kwu Ling District Rural Committee
71.	Ha Tei Ha (蝦地下)	1	Tai Po Rural Committee
72.	Ha Tsuen Shi (廈村市)	1	Ha Tsuen Rural Committee
73.	Ha Wan Tsuen (下灣村)	1	San Tin Rural Committee
74.	Ha Wo Che (下禾輦)	1	Sha Tin Rural Committee
75.	Ha Wo Hang (下禾坑)	1	Sha Tau Kok District Rural Committee
76.	Ha Wong Yi Au (下黃宜坳)	1	Tai Po Rural Committee
77.	Ha Wun Yiu (下碗窰)	1	Tai Po Rural Committee
78.	Ha Yau Tin (下攸田)	1	Shap Pat Heung Rural Committee
79.	Ha Yeung (下洋)	1	Sai Kung North Rural Committee
80.	Ha Yeung (下洋)	1	Hang Hau Rural Committee
81.	Ham Tin (咸田)	1	South Lantao Rural Committee
82.	Ham Tin (咸田)	1	Tsuen Wan Rural Committee
83.	Hang Ha Po (坑下莆)	1	Tai Po Rural Committee
84.	Hang Hau (坑口)	1	Hang Hau Rural Committee
85.	Hang Mei Tsuen (坑尾村)	1	Ping Shan Rural Committee
86.	Hang Tau (坑頭)	1	Sheung Shui District Rural Committee
87.	Hang Tau Tsuen (坑頭村)	1	Ping Shan Rural Committee
88.	Heung Yuen Wai (香園圍)	1	Ta Kwu Ling District Rural Committee
89.	Hin Tin (顯田)	1	Sha Tin Rural Committee
90.	Hing Keng Shek (慶徑石)	1	Sai Kung Rural Committee
91.	Ho Chung (蠔涌)	1	Sai Kung Rural Committee
92.	Ho Lek Pui (河瀝背)	1	Sha Tin Rural Committee
93.	Ho Pui (河背)	1	Tsuen Wan Rural Committee
94.	Ho Pui Tsuen (河背村)	1	Pat Heung Rural Committee
95.	Ho Sheung Heung (河上鄉)	1	Sheung Shui District Rural Committee

96.	Ho Tin Tsuen (河田村)	1	Tuen Mun Rural Committee
97.	Hoi Ha (海下)	1	Sai Kung North Rural Committee
98.	Hoi Pa (Cheung Pei Shan Road) (海壩(象鼻山路))	1	Tsuen Wan Rural Committee
99.	Hoi Pa (South Platform) (海壩(南台))	1	Tsuen Wan Rural Committee
100.	Hoi Pa (Wo Yi Hop Road and Kwok Shui Road) (海壩(和宜合道及國瑞道))	1	Tsuen Wan Rural Committee
101.	Hoi Pong Street (海傍街)	1	Sai Kung Rural Committee
102.	Hok Tau Wai (鶴藪圍)	1	Fanling District Rural Committee
103.	Hong Mei Tsuen (巷尾村)	1	Ha Tsuen Rural Committee
104.	Hung Cho Tin (紅棗田)	1	Shap Pat Heung Rural Committee
105.	Hung Leng (孔嶺)	1	Fanling District Rural Committee
106.	Hung Uk Tsuen (洪屋村)	1	Ping Shan Rural Committee
107.	Kai Ham (界咸)	1	Sai Kung Rural Committee
108.	Kai Kuk Shue Ha and Nam Hang Mei (雞谷樹下及南坑尾)	1	Sha Tau Kok District Rural Committee
109.	Kai Leng (雞嶺)	1	Sheung Shui District Rural Committee
110.	Kak Tin (隔田)	1	Sha Tin Rural Committee
111.	Kam Shan Village (錦山村)	1	Tai Po Rural Committee
112.	Kam Tin Shing Mun San Tsuen (錦田城門新村)	1	Kam Tin Rural Committee
113.	Kam Tsin (金錢)	1	Sheung Shui District Rural Committee
114.	Kam Tsin Wai Tsuen (金錢圍村)	1	Pat Heung Rural Committee
115.	Kan Tau Tsuen (簡頭村)	1	Fanling District Rural Committee
116.	Kan Tau Wai (簡頭圍)	1	Ta Kwu Ling District Rural Committee
117.	Kap Lung Tsuen (甲龍村)	1	Pat Heung Rural Committee
118.	Kap Tong (蛤塘)	1	Sha Tau Kok District Rural Committee

119. Kat Hing Back Street (吉慶後街)	1	Tai O Rural Committee
120. Kat Hing Street (吉慶街)	1	Tai O Rural Committee
121. Kat Hing Wai (吉慶圍)	1	Kam Tin Rural Committee
122. Kat O (吉澳)	1	Sha Tau Kok District Rural Committee
123. Kau Liu Ha (較寮下)	1	Tai Po Rural Committee
124. Kau Lung Hang (九龍坑)	1	Tai Po Rural Committee
125. Kau Sai San Tsuen (濳西新村)	1	Sai Kung Rural Committee
126. Kau Tam Tso (九担租)	1	Sha Tau Kok District Rural Committee
127. Kau To (九肚)	1	Sha Tin Rural Committee
128. Kau Wah Keng (九華徑)	1	Tsuen Wan Rural Committee
129. Kau Wah Keng San Tsuen (also known as Kau Wah San Tsuen) (九華徑新村 (又名九華新村))	1	Tsuen Wan Rural Committee
130. Kei Ling Ha Lo Wai (企嶺下老圍)	1	Sai Kung North Rural Committee
131. Kei Ling Ha San Wai (企嶺下新圍)	1	Sai Kung North Rural Committee
132. Kei Lun Wai (麒麟圍)	1	Tuen Mun Rural Committee
133. Keung Shan, Lower (下羗山)	1	Tai O Rural Committee
134. Keung Shan, Upper and Luk Wu (上羗山及鹿湖)	1	Tai O Rural Committee
135. Kiu Tau Wai (橋頭圍)	1	Ping Shan Rural Committee
136. Ko Lau Wan (高流灣)	1	Sai Kung North Rural Committee
137. Ko Long (高壟)	1	Lamma Island (North) Rural Committee
138. Ko Po (高莆)	1	Fanling District Rural Committee
139. Ko Po Tsuen (高埔村)	1	Kam Tin Rural Committee
140. Ko Tong (高塘)	1	Sai Kung North Rural Committee

141.	Kong Ha (崗下)	1	Sha Tau Kok District Rural Committee
142.	Kong Tau (港頭)	1	Shap Pat Heung Rural Committee
143.	Kuk Po (谷埔)	1	Sha Tau Kok District Rural Committee
144.	Kwan Mun Hau (關門口)	1	Tsuen Wan Rural Committee
145.	Kwan Tei (軍地)	1	Fanling District Rural Committee
146.	Kwong Shan Tsuen (礦山村)	1	Tuen Mun Rural Committee
147.	Kwu Hang (古坑)	1	Tsuen Wan Rural Committee
148.	Kwu Tung (North) (古洞(北))	1	Sheung Shui District Rural Committee
149.	Kwu Tung (South) (古洞(南))	1	Sheung Shui District Rural Committee
150.	Kwun Hang (官坑)	1	Sai Kung North Rural Committee
151.	Kwun Yam Shan and Kong Pui (觀音山及崗背)	1	Sha Tin Rural Committee
152.	Lai Chi Chong (荔枝莊)	1	Sai Kung North Rural Committee
153.	Lai Chi Shan (荔枝山)	1	Tai Po Rural Committee
154.	Lai Chi Wo (荔枝窩)	1	Sha Tau Kok District Rural Committee
154A.	Lai Pek Shan (犁壁山)	1	Tai Po Rural Committee
155.	Lai Tau Shek (犁頭石)	1	Sha Tau Kok District Rural Committee
156.	Lam Che and Nim Un (藍輦及稔園)	1	Tung Chung Rural Committee
157.	Lam Hau Tsuen (欖口村)	1	Ping Shan Rural Committee
158.	Lam Tei (藍地)	1	Tuen Mun Rural Committee
159.	Lam Tin Tsuen (藍田村)	1	Tsing Yi Rural Committee
161.	Lau Shui Heung (流水响)	1	Fanling District Rural Committee
162.	Lee Uk Tsuen (李屋村)	1	Ha Tsuen Rural Committee
163.	Lei Uk (李屋)	1	Ta Kwu Ling District Rural Committee
164.	Leng Pei Tsuen (嶺皮村)	1	Fanling District Rural Committee

165.	Leng Tsai (嶺仔)	1	Fanling District Rural Committee
166.	Leng Tsui (嶺咀)	1	Fanling District Rural Committee
167.	Leung Tin Tsuen (良田村)	1	Tuen Mun Rural Committee
168.	Leung Uk (梁屋)	1	Tai O Rural Committee
169.	Lin Au, Cheng Uk (蓮澳鄭屋)	1	Tai Po Rural Committee
170.	Lin Au, Lei Uk (蓮澳李屋)	1	Tai Po Rural Committee
171.	Lin Fa Tei (蓮花地)	1	Pat Heung Rural Committee
172.	Lin Ma Hang (蓮麻坑)	1	Sha Tau Kok District Rural Committee
173.	Lin Tong Mei (蓮塘尾)	1	Sheung Shui District Rural Committee
174.	Liu Pok (料壘)	1	Sheung Shui District Rural Committee
175.	Lo So Shing (蘆鬚城)	1	Lamma Island (South) Rural Committee
176.	Lo Tik Wan (蘆荻灣)	1	Lamma Island (North) Rural Committee
177.	Lo Tsz Tin (蘆慈田)	1	Tai Po Rural Committee
178.	Lo Uk Tsuen (老屋村)	1	Tsing Yi Rural Committee
179.	Lo Uk Tsuen (羅屋村)	1	Ha Tsuen Rural Committee
180.	Lo Wai (老圍)	1	Tsuen Wan Rural Committee
181.	Lo Wu (羅湖)	1	Ta Kwu Ling District Rural Committee
182.	Loi Tung (萊洞)	1	Sha Tau Kok District Rural Committee
183.	Lok Lo Ha (落路下)	1	Sha Tin Rural Committee
184.	Lok Ma Chau (落馬洲)	1	San Tin Rural Committee
185.	Long Keng (浪徑)	1	Sai Kung Rural Committee
186.	Luen On San Tsuen (聯安新村)	1	Tuen Mun Rural Committee
187.	Luen Yick Fishermen Village (聯益漁村)	1	Tai Po Rural Committee
188.	Lui Kung Tin Tsuen (雷公田村)	1	Pat Heung Rural Committee

189.	Luk Chau (鹿洲)	1	Lamma Island (South) Rural Committee
190.	Luk Keng (鹿頸)	1	Ma Wan Rural Committee
191.	Luk Keng Chan Uk (鹿頸陳屋)	1	Sha Tau Kok District Rural Committee
192.	Luk Keng Wong Uk (鹿頸黃屋)	1	Sha Tau Kok District Rural Committee
193.	Luk Tei Tong (鹿地塘)	1	Mui Wo Rural Committee
194.	Lung A Pei (龍丫排)	1	Tai Po Rural Committee
195.	Lung Kwu Tan (龍鼓灘)	1	Tuen Mun Rural Committee
196.	Lung Mei (龍尾)	1	Tai Po Rural Committee
197.	Lung Mei (龍尾)	1	Sai Kung Rural Committee
198.	Lung Tin (龍田)	1	Shap Pat Heung Rural Committee
199.	Lung Yeuk Tau (龍躍頭)	1	Fanling District Rural Committee
200.	Ma Kwu Lam (馬牯纜)	1	Sai Kung North Rural Committee
201.	Ma Liu (馬料)	1	Sha Tin Rural Committee
202.	Ma Mei Ha (馬尾下)	1	Fanling District Rural Committee
203.	Ma Nam Wat (麻南笏)	1	Sai Kung Rural Committee
204.	Ma Niu Shui San Tsuen (馬料水新村)	1	Fanling District Rural Committee
205.	Ma On Kong Tsuen (馬鞍崗村)	1	Pat Heung Rural Committee
206.	Ma On Shan (馬鞍山)	1	Sha Tin Rural Committee
207.	Ma Po Mei (麻布尾)	1	Tai Po Rural Committee
208.	Ma Sim Pai (馬閃排)	1	Tsuen Wan Rural Committee
209.	Ma Tin (馬田)	1	Shap Pat Heung Rural Committee
210.	Ma Tseuk Leng Ha (麻雀嶺下)	1	Sha Tau Kok District Rural Committee
211.	Ma Tseuk Leng Sheung (麻雀嶺上)	1	Sha Tau Kok District Rural Committee
212.	Ma Tso Lung (North) (馬草壠(北))	1	Sheung Shui District Rural Committee

213.	Ma Tso Lung (South) (馬草壠(南))	1	Sheung Shui District Rural Committee
214.	Ma Wan and Wong Nai Uk (馬灣及黃泥屋)	1	Tung Chung Rural Committee
215.	Ma Wan Chung (馬灣涌)	1	Tung Chung Rural Committee
216.	Ma Wan Main Street (馬灣大街)	1	Ma Wan Rural Committee
217.	Ma Wat Tsuen (麻笏村)	1	Fanling District Rural Committee
218.	Ma Wo Tsuen (馬窩村)	1	Tai Po Rural Committee
219.	Ma Yau Tong (馬游塘)	1	Hang Hau Rural Committee
220.	Mai Po Tsuen (米埔村)	1	San Tin Rural Committee
221.	Main Street (East) (正街(東))	1	Sai Kung Rural Committee
222.	Main Street (West) (正街(西))	1	Sai Kung Rural Committee
223.	Man Kok Tsui (萬角咀)	1	Mui Wo Rural Committee
224.	Man Uk Pin (萬屋邊)	1	Sha Tau Kok District Rural Committee
225.	Man Wo (蠻窩)	1	Sai Kung Rural Committee
226.	Man Yee Wan New Village (萬宜灣新村)	1	Sai Kung Rural Committee
227.	Mang Kung Uk (孟公屋)	1	Hang Hau Rural Committee
228.	Mau Ping New Village (茅坪新村)	1	Sai Kung Rural Committee
229.	Mau Tat (茅笪)	1	Sha Tin Rural Committee
230.	Mau Tso Ngam (茂草岩)	1	Sha Tin Rural Committee
231.	Mau Wu Tsai (茅湖仔)	1	Hang Hau Rural Committee
232.	Ming Tak Tong (明德堂)	1	San Tin Rural Committee
233.	Miu Tin (苗田)	1	Sha Tau Kok District Rural Committee
234.	Mo Tat (模達)	1	Lamma Island (South) Rural Committee
235.	Mo Tat Wan (模達灣)	1	Lamma Island (South) Rural Committee
236.	Mok Ka (莫家)	1	Tung Chung Rural Committee



237.	Mok Tse Che (莫遮峯)	1	Sai Kung Rural Committee
238.	Mong Tseng Tsuen (輞井村)	1	Ping Shan Rural Committee
239.	Mong Tseng Wai (輞井圍)	1	Ping Shan Rural Committee
240.	Mong Tung Wan (望東灣)	1	South Lantao Rural Committee
241.	Mui Shue Hang (梅樹坑)	1	Tai Po Rural Committee
242.	Mui Tsz Lam (梅子林)	1	Sha Tau Kok District Rural Committee
243.	Mui Tsz Lam (梅子林)	1	Sha Tin Rural Committee
244.	Muk Kiu Tau (木橋頭)	1	Shap Pat Heung Rural Committee
245.	Muk Min Ha (木棉下)	1	Tsuen Wan Rural Committee
246.	Muk Min Tau and Tsiu Hang (木棉頭及蕉坑)	1	Sha Tau Kok District Rural Committee
247.	Muk Wu (木湖)	1	Ta Kwu Ling District Rural Committee
248.	Nai Chung (泥涌)	1	Sai Kung North Rural Committee
249.	Nai Wai (泥圍)	1	Tuen Mun Rural Committee
250.	Nam A (南丫)	1	Sai Kung Rural Committee
251.	Nam Bin Wai (南邊圍)	1	Shap Pat Heung Rural Committee
252.	Nam Chung (南涌)	1	Sha Tau Kok District Rural Committee
253.	Nam Hang (南坑)	1	Tai Po Rural Committee
254.	Nam Hang (南坑)	1	Shap Pat Heung Rural Committee
255.	Nam Shan (南山)	1	Sai Kung Rural Committee
256.	Nam Shan Tung (南山洞)	1	Sai Kung North Rural Committee
257.	Nam Tong Sun Tsuen (南塘新村)	1	Tai O Rural Committee
258.	Nam Wa Po (南華莆)	1	Tai Po Rural Committee
259.	Nam Wai (南圍)	1	Sai Kung Rural Committee
260.	Ng Ka Tsuen (吳家村)	1	Pat Heung Rural Committee
261.	Ng Tung Chai (梧桐寨)	1	Tai Po Rural Committee
262.	Ng Uk Tsuen (吳屋村)	1	Sheung Shui District Rural Committee

263.	Ng Uk Tsuen (吳屋村)	1	Ping Shan Rural Committee
264.	Nga Iu Tau Tsun (瓦窰頭村)	1	Sai Kung North Rural Committee
265.	Nga Yiu (瓦窰)	1	Ta Kwu Ling District Rural Committee
266.	Nga Yiu Ha (瓦窰下)	1	Ta Kwu Ling District Rural Committee
267.	Ngar Yiu Tau (瓦窰頭)	1	Shap Pat Heung Rural Committee
268.	Ngau Au (牛凹)	1	Tung Chung Rural Committee
269.	Ngau Hom Tsuen (鰲磡村)	1	Ping Shan Rural Committee
270.	Ngau Keng Tsuen (牛徑村)	1	Pat Heung Rural Committee
271.	Ngau Kwu Long (牛牯塢)	1	Mui Wo Rural Committee
272.	Ngau Pei Sha (牛皮沙)	1	Sha Tin Rural Committee
273.	Ngau Shi Wu (牛屎湖)	1	Sha Tau Kok District Rural Committee
274.	Ngong Ping (昂坪)	1	Sai Kung North Rural Committee
275.	Ngong Ping (昂坪)	1	Tai O Rural Committee
276.	Ngong Wo (昂窩)	1	Sai Kung Rural Committee
277.	Nim Shu Wan (稔樹灣)	1	Peng Chau Rural Committee
278.	Nim Wan (稔灣)	1	Tuen Mun Rural Committee
279.	O Long (澳朗)	1	Sai Kung Rural Committee
280.	O Tau (澳頭)	1	Sai Kung Rural Committee
281.	On Lok Tsuen (East) (安樂村(東))	1	Fanling District Rural Committee
282.	On Lok Tsuen (West) (安樂村(西))	1	Fanling District Rural Committee
283.	On Lung Tsuen (安龍村)	1	San Tin Rural Committee
284.	Pa Mei (壩尾)	1	Tung Chung Rural Committee
285.	Pai Min Kok (排棉角)	1	Tsuen Wan Rural Committee
286.	Pai Tau (排頭)	1	Sha Tin Rural Committee
287.	Pak A (北丫)	1	Sai Kung Rural Committee
288.	Pak Kok Kau Tsuen (北角舊村)	1	Lamma Island (North) Rural Committee

289.	Pak Kok San Tsuen (北角新村)	1	Lamma Island (North) Rural Committee
290.	Pak Kong (北港)	1	Sai Kung Rural Committee
291.	Pak Kong Au (北港坳)	1	Sai Kung Rural Committee
292.	Pak Lap (白腊)	1	Sai Kung Rural Committee
293.	Pak Mong (白芒)	1	Mui Wo Rural Committee
294.	Pak Nai Tsuen (白泥村)	1	Ha Tsuen Rural Committee
295.	Pak Ngan Heung (白銀鄉)	1	Mui Wo Rural Committee
296.	Pak Ngau Shek Ha Tsuen (白牛石下村)	1	Tai Po Rural Committee
297.	Pak Ngau Shek Sheung Tsuen (白牛石上村)	1	Tai Po Rural Committee
298.	Pak Sha (白沙)	1	Shap Pat Heung Rural Committee
299.	Pak Sha O (白沙澳)	1	Sai Kung North Rural Committee
300.	Pak Sha Wan (白沙灣)	1	Sai Kung Rural Committee
301.	Pak Tam (北潭)	1	Sai Kung Rural Committee
302.	Pak Tam Au (北潭凹)	1	Sai Kung North Rural Committee
303.	Pak Tam Chung (北潭涌)	1	Sai Kung Rural Committee
304.	Pak Tin Pa (白田壩)	1	Tsuen Wan Rural Committee
305.	Pak Wai (北圍)	1	Sai Kung Rural Committee
306.	Pan Chung (泮涌)	1	Tai Po Rural Committee
307.	Pan Chung San Tsuen (泮涌新村)	1	Tai Po Rural Committee
308.	Pan Long Wan (檳榔灣)	1	Hang Hau Rural Committee
309.	Pang Ka Tsuen (彭家村)	1	Pat Heung Rural Committee
310.	Pat Tsz Wo (拔子窩)	1	Sha Tin Rural Committee
311.	Pik Uk (壁屋)	1	Sai Kung Rural Committee
312.	Ping Chau Chau Mei (平洲洲尾)	1	Sai Kung North Rural Committee
313.	Ping Chau Chau Tau (平洲洲頭)	1	Sai Kung North Rural Committee
314.	Ping Chau Nai Tau (平洲奶頭)	1	Sai Kung North Rural Committee

315.	Ping Chau Sha Tau (平洲沙頭)	1	Sai Kung North Rural Committee
316.	Ping Chau Tai Tong (平洲大塘)	1	Sai Kung North Rural Committee
317.	Ping Che (坪輦)	1	Ta Kwu Ling District Rural Committee
318.	Ping Kong (丙崗)	1	Sheung Shui District Rural Committee
319.	Ping Long (坪朗)	1	Tai Po Rural Committee
320.	Ping Shan Chai (坪山仔)	1	Tai Po Rural Committee
321.	Ping Shan San Tsuen (屏山新村)	1	Ping Shan Rural Committee
322.	Ping Tun (坪墩)	1	Sai Kung Rural Committee
323.	Ping Yeung (坪洋)	1	Ta Kwu Ling District Rural Committee
324.	Po Sam Pai (布心排)	1	Tai Po Rural Committee
325.	Po Toi (蒲台)	1	Lamma Island (South) Rural Committee
326.	Po Toi O (布袋澳)	1	Hang Hau Rural Committee
327.	Po Tong Ha (寶塘下)	1	Tuen Mun Rural Committee
328.	Po Tung Road (East) (普通道(東))	1	Sai Kung Rural Committee
329.	Po Tung Road (West) (普通道(西))	1	Sai Kung Rural Committee
330.	Pok Wai (壘圍)	1	San Tin Rural Committee
331.	Pui O Lo Uk Tsuen (貝澳羅屋村)	1	South Lantao Rural Committee
332.	Pui O Lo Wai (貝澳老圍)	1	South Lantao Rural Committee
333.	Pui O San Wai (貝澳新圍)	1	South Lantao Rural Committee
334.	Pun Shan Chau (半山洲)	1	Tai Po Rural Committee
335.	Pun Uk Tsuen (潘屋村)	1	San Tin Rural Committee
336.	Sai Bin Wai (西邊圍)	1	Shap Pat Heung Rural Committee
337.	Sai Keng (西徑)	1	Sai Kung North Rural Committee

338.	Sai Kung Road (North) (西貢道(北))	1	Sai Kung Rural Committee
339.	Sai Kung Road (South) (西貢道(南))	1	Sai Kung Rural Committee
340.	Sai Lau Kok (西樓角)	1	Tsuen Wan Rural Committee
341.	Sai Lau Kong (西流江)	1	Sha Tau Kok District Rural Committee
342.	Sai O (西澳)	1	Sai Kung North Rural Committee
344.	Sai Wan (西灣)	1	Sai Kung Rural Committee
345.	Sam A (三桠)	1	Sha Tau Kok District Rural Committee
346.	Sam Mun Tsai (三門仔)	1	Tai Po Rural Committee
347.	Sam Tung Uk (三棟屋)	1	Tsuen Wan Rural Committee
348.	San Hing Tsuen (新慶村)	1	Tuen Mun Rural Committee
349.	San Hing Tsuen (新慶村)	1	Ping Shan Rural Committee
350.	San Lung Tsuen (新龍村)	1	San Tin Rural Committee
351.	San Sang Tsuen (新生村)	1	Ha Tsuen Rural Committee
352.	San Shek Wan (磡石灣)	1	South Lantao Rural Committee
353.	San Tau (磡頭)	1	Tai O Rural Committee
354.	San Tau Kok (磡頭角)	1	Tai Po Rural Committee
355.	San Tin (新田)	1	Sha Tin Rural Committee
356.	San Tong (新塘)	1	Tai Po Rural Committee
357.	San Tong Po (新塘莆)	1	Fanling District Rural Committee
358.	San Tsuen (新村)	1	Sha Tau Kok District Rural Committee
359.	San Tsuen (新村)	1	Tsuen Wan Rural Committee
360.	San Tsuen (Lam Tsuen) (新村(林村))	1	Tai Po Rural Committee
361.	San Uk Ka (新屋家)	1	Tai Po Rural Committee
362.	San Uk Ling (新屋嶺)	1	Ta Kwu Ling District Rural Committee
363.	San Uk Tsai (新屋仔)	1	Fanling District Rural Committee
364.	San Uk Tsai (新屋仔)	1	Tai Po Rural Committee

365.	San Uk Tsuen (新屋村)	1	Tsing Yi Rural Committee	
366.	San Uk Tsuen (新屋村)	1	Ha Tsuen Rural Committee	
367.	San Wai (新圍)	1	Ha Tsuen Rural Committee	
368.	San Wai (I) (新圍(一))	1	San Tin Rural Committee	
369.	San Wai (II) (新圍(二))	1	San Tin Rural Committee	
370.	San Wai Tsai (新圍仔)	1	Tai Po Rural Committee	
371.	San Wai Tsai (新圍仔)	1	Tuen Mun Rural Committee	
372.	See Cheung Street (市場街)	1	Sai Kung Rural Committee	
373.	Sha Chau Lei (I) (沙洲里 (一))	1	Ha Tsuen Rural Committee	
374.	Sha Chau Lei (II) (沙洲里 (二))	1	Ha Tsuen Rural Committee	
375.	Sha Ha (沙下)	1	Sai Kung Rural Committee	
376.	Sha Kiu Tsuen (I) (沙橋村 (一))	1	Ping Shan Rural Committee	
377.	Sha Kiu Tsuen (II) (沙橋村 (二))	1	Ping Shan Rural Committee	
378.	Sha Kok Mei (沙角尾)	1	Sai Kung Rural Committee	
379.	Sha Kong Wai (沙江圍)	1	Ping Shan Rural Committee	
380.	Sha Lo Tung Cheung Uk (沙螺洞張屋)	1	Tai Po Rural Committee	
381.	Sha Lo Tung Lei Uk (沙螺 洞李屋)	1	Tai Po Rural Committee	
382.	Sha Lo Wan (沙螺灣)	1	Tai O Rural Committee	
383.	Sha Po (沙埔)	1	Lamma Island (North) Rural Committee	
384.	Sha Po Tsuen (沙埔村)	1	Kam Tin Rural Committee	
385.	Sha Tau Kok Market (East) (沙頭角墟(東))	1	Sha Tau Kok District Rural Committee	
386.	Sha Tau Kok Market (West Lower) (沙頭角墟(西下))	1	Sha Tau Kok District Rural Committee	
387.	Sha Tau Kok Market (West Upper) (沙頭角墟(西上))	1	Sha Tau Kok District Rural Committee	

388.	Sha Tin Tau and Lee Uk (沙田頭及李屋)	1	Sha Tin Rural Committee
389.	Sha Tin Wai (沙田圍)	1	Sha Tin Rural Committee
390.	Sha Tsui New Village (沙咀新村)	1	Sai Kung Rural Committee
391.	Sham Chung (深涌)	1	Sai Kung North Rural Committee
392.	Sham Chung (深涌)	1	Shap Pat Heung Rural Committee
393.	Sham Shek (深石)	1	Tai O Rural Committee
394.	Sham Tseng (深井)	1	Tsuen Wan Rural Committee
395.	Shan Ha Tsuen (山廈村)	1	Ping Shan Rural Committee
396.	Shan Ha Wai (山下圍)	1	Sha Tin Rural Committee
397.	Shan Liu (山寮)	1	Tai Po Rural Committee
398.	Shan Liu (山寮)	1	Sai Kung Rural Committee
399.	Shan Mei (山尾)	1	Sha Tin Rural Committee
400.	Shan Pui (山貝)	1	Shap Pat Heung Rural Committee
401.	Shan Pui Chung Hau (I) (山貝涌口(一))	1	Shap Pat Heung Rural Committee
402.	Shan Pui Chung Hau (II) (山貝涌口(二))	1	Shap Pat Heung Rural Committee
403.	Shan Tsui (山嘴)	1	Sha Tau Kok District Rural Committee
404.	Shap Long (拾浪)	1	South Lantao Rural Committee
405.	Shap Yi Wat (十二笏)	1	Sha Tin Rural Committee
406.	She Shan (社山)	1	Tai Po Rural Committee
407.	She Tau (蛇頭)	1	Sai Kung Rural Committee
408.	Shek Chung Au (石涌凹)	1	Sha Tau Kok District Rural Committee
409.	Shek Hang (石坑)	1	Sai Kung Rural Committee
410.	Shek Kiu Tau (石橋頭)	1	Sha Tau Kok District Rural Committee
411.	Shek Kwu Lung (石鼓壟)	1	Tai Po Rural Committee
412.	Shek Kwu Lung and Nam Shan (石古壟及南山)	1	Sha Tin Rural Committee
413.	Shek Lau Po (石榴埔)	1	Tung Chung Rural Committee

414.	Shek Lung Tsai (石壟仔)	1	Sha Tin Rural Committee
415.	Shek Mun Kap (石門甲)	1	Tung Chung Rural Committee
416.	Shek Pik San Tsuen (石碧新村)	1	Tsuen Wan Rural Committee
417.	Shek Po Tsuen (石埗村)	1	Ping Shan Rural Committee
418.	Shek Tsai Po (East) (石仔埗(東))	1	Tai O Rural Committee
419.	Shek Tsai Po (West) (石仔埗(西))	1	Tai O Rural Committee
420.	Shek Wai Kok (石圍角)	1	Tsuen Wan Rural Committee
421.	Shek Wu Tong Tsuen (石湖塘村)	1	Pat Heung Rural Committee
422.	Shek Wu Wai (石湖圍)	1	San Tin Rural Committee
423.	Sheung Che Tsuen (上輦村)	1	Pat Heung Rural Committee
424.	Sheung Cheung Wai (上璋圍)	1	Ping Shan Rural Committee
425.	Sheung Keng Hau (上徑口)	1	Sha Tin Rural Committee
426.	Sheung Kwai Chung (上葵涌)	1	Tsuen Wan Rural Committee
427.	Sheung Ling Pei (上嶺皮)	1	Tung Chung Rural Committee
428.	Sheung Shan Kai Wat (上山雞乙)	1	Ta Kwu Ling District Rural Committee
429.	Sheung Shui Heung (上水鄉)	1	Sheung Shui District Rural Committee
430.	Sheung Sze Wan (相思灣)	1	Hang Hau Rural Committee
431.	Sheung Tsuen (上村)	1	Pat Heung Rural Committee
432.	Sheung Wo Che (上禾輦)	1	Sha Tin Rural Committee
433.	Sheung Wo Hang (上禾坑)	1	Sha Tau Kok District Rural Committee
434.	Sheung Wong Yi Au (上黃宜坳)	1	Tai Po Rural Committee
435.	Sheung Wun Yiu (上碗窰)	1	Tai Po Rural Committee
436.	Sheung Yau Tin (上攸田)	1	Shap Pat Heung Rural Committee
437.	Sheung Yeung (上洋)	1	Hang Hau Rural Committee



438.	Shing Uk Tsuen (盛屋村)	1	Ping Shan Rural Committee
439.	Shuen Wan Chan Uk (船灣陳屋)	1	Tai Po Rural Committee
440.	Shuen Wan Chim Uk (船灣詹屋)	1	Tai Po Rural Committee
441.	Shuen Wan Lei Uk (船灣李屋)	1	Tai Po Rural Committee
442.	Shuen Wan Sha Lan (船灣沙欄)	1	Tai Po Rural Committee
443.	Shuen Wan Wai Ha (船灣圍下)	1	Tai Po Rural Committee
444.	Shui Bin (水邊)	1	Hang Hau Rural Committee
445.	Shui Chiu Lo Wai (水蕉老圍)	1	Shap Pat Heung Rural Committee
446.	Shui Chiu San Tsuen (水蕉新村)	1	Shap Pat Heung Rural Committee
447.	Shui Hau (水口)	1	South Lantao Rural Committee
448.	Shui Lau Tin Tsuen (水流田村)	1	Pat Heung Rural Committee
449.	Shui Mei Tsuen (水尾村)	1	Kam Tin Rural Committee
450.	Shui Pin Tsuen (水邊村)	1	Ping Shan Rural Committee
451.	Shui Pin Wai (水邊圍)	1	Ping Shan Rural Committee
452.	Shui Tau Tsuen (水頭村)	1	Kam Tin Rural Committee
453.	Shui Tin Tsuen (水田村)	1	Ping Shan Rural Committee
454.	Shui Tsan Tin Tsuen (水盞田村)	1	Pat Heung Rural Committee
455.	Shui Wo (水窩)	1	Tai Po Rural Committee
456.	Shung Ching San Tsuen (I) (崇正新村(一))	1	Shap Pat Heung Rural Committee
457.	Shung Ching San Tsuen (II) (崇正新村(二))	1	Shap Pat Heung Rural Committee
458.	Shung Him Tong (East) (崇謙堂(東))	1	Fanling District Rural Committee

459.	Shung Him Tong (West) (崇謙堂(西))	1	Fanling District Rural Committee
460.	Sik Kong Tsuen (錫降村)	1	Ha Tsuen Rural Committee
461.	Sik Kong Wai (錫降圍)	1	Ha Tsuen Rural Committee
462.	Siu A Chau (小鴉洲)	1	South Lantao Rural Committee
463.	Siu Hang San Tsuen (小坑新村)	1	Fanling District Rural Committee
464.	Siu Hang Tsuen (小坑村)	1	Tuen Mun Rural Committee
465.	Siu Lam (小欖)	1	Tuen Mun Rural Committee
466.	Siu Lek Yuen (小瀝源)	1	Sha Tin Rural Committee
467.	Siu Om Shan (小菴山)	1	Tai Po Rural Committee
468.	So Kwun Wat (掃管笏)	1	Tuen Mun Rural Committee
469.	So Lo Pun (鎖羅盆)	1	Sha Tau Kok District Rural Committee
470.	Sok Kwu Wan (索罟灣)	1	Lamma Island (South) Rural Committee
471.	Sun Fung Wai (順風圍)	1	Tuen Mun Rural Committee
472.	Sz Tau Leng (獅頭嶺)	1	Fanling District Rural Committee
473.	Ta Ho Tun (打蠔墩)	1	Sai Kung Rural Committee
474.	Ta Pang Po (打棚埔)	1	Ma Wan Rural Committee
475.	Ta Shek Wu Tsuen (打石湖村)	1	Pat Heung Rural Committee
476.	Ta Tit Yan (打鐵印)	1	Tai Po Rural Committee
477.	Tai A Chau (大鴉洲)	1	South Lantao Rural Committee
478.	Tai Hang (泰亨)	1	Tai Po Rural Committee
479.	Tai Hang Hau (大坑口)	1	Hang Hau Rural Committee
480.	Tai Ho (大蠔)	1	Mui Wo Rural Committee
481.	Tai Hong Wai (泰康圍)	1	Kam Tin Rural Committee
482.	Tai Kei Leng (I) (大旗嶺(一))	1	Shap Pat Heung Rural Committee
483.	Tai Kei Leng (II) (大旗嶺(二))	1	Shap Pat Heung Rural Committee
484.	Tai Kiu (大橋)	1	Shap Pat Heung Rural Committee

485.	Tai Kong Po Tsuen (大江埔村)	1	Pat Heung Rural Committee
486.	Tai Lam Chung (大欖涌)	1	Tuen Mun Rural Committee
487.	Tai Lam Liu (大南寮)	1	Sha Tin Rural Committee
488.	Tai Lam Wu (大藍湖)	1	Sai Kung Rural Committee
489.	Tai Long (大朗)	1	Sha Tau Kok District Rural Committee
490.	Tai Long (大浪)	1	South Lantao Rural Committee
491.	Tai Long (大浪)	1	Sai Kung Rural Committee
492.	Tai Long Wan (大浪灣)	1	Tai O Rural Committee
493.	Tai Mei Tuk (大美督)	1	Tai Po Rural Committee
495.	Tai Mong Tsai (大網仔)	1	Sai Kung Rural Committee
496.	Tai No (大腦)	1	Sai Kung Rural Committee
497.	Tai O Country Side (大澳市郊)	1	Tai O Rural Committee
498.	Tai O Market Street (大澳街市街)	1	Tai O Rural Committee
499.	Tai O Tai Ping Street (I) (大澳太平街(一))	1	Tai O Rural Committee
500.	Tai O Tai Ping Street (II) (大澳太平街(二))	1	Tai O Rural Committee
501.	Tai O Wing On Street (I) (大澳永安街(一))	1	Tai O Rural Committee
502.	Tai O Wing On Street (II) (大澳永安街(二))	1	Tai O Rural Committee
503.	Tai Om (大菴)	1	Tai Po Rural Committee
504.	Tai Om Shan (大菴山)	1	Tai Po Rural Committee
505.	Tai Peng Tsuen (大坪村)	1	Lamma Island (North) Rural Committee
506.	Tai Po (低埔)	1	Tung Chung Rural Committee
507.	Tai Po Kau (大埔滘)	1	Tai Po Rural Committee
508.	Tai Po Mei (大埔尾)	1	Tai Po Rural Committee
509.	Tai Po Tau (大埔頭)	1	Tai Po Rural Committee

510.	Tai Po Tau Shui Wai (大埔頭水圍)	1	Tai Po Rural Committee
511.	Tai Po Tin (大埔田)	1	Ta Kwu Ling District Rural Committee
512.	Tai Po Tsai (大埔仔)	1	Hang Hau Rural Committee
513.	Tai Po Tsai (大埗仔)	1	Sai Kung Rural Committee
514.	Tai Sang Wai (大生圍)	1	San Tin Rural Committee
515.	Tai She Wan (大蛇灣)	1	Sai Kung Rural Committee
516.	Tai Shui Hang (大水坑)	1	Sha Tin Rural Committee
517.	Tai Street (East) (大街(東))	1	Sai Kung Rural Committee
518.	Tai Street (West) (大街(西))	1	Sai Kung Rural Committee
519.	Tai Tan (大灘)	1	Sai Kung North Rural Committee
520.	Tai Tau Leng (大頭嶺)	1	Sheung Shui District Rural Committee
521.	Tai Tei Tong (大地塘)	1	Mui Wo Rural Committee
522.	Tai To Tsuen (大道村)	1	Ping Shan Rural Committee
523.	Tai Tong (大棠)	1	Shap Pat Heung Rural Committee
524.	Tai Tong Wu (大塘湖)	1	Sha Tau Kok District Rural Committee
525.	Tai Tseng Wai (大井圍)	1	Ping Shan Rural Committee
526.	Tai Tung (大洞)	1	Sai Kung North Rural Committee
527.	Tai Wai (大圍)	1	Shap Pat Heung Rural Committee
528.	Tai Wai (大圍)	1	Sha Tin Rural Committee
529.	Tai Wan (大環)	1	Sai Kung Rural Committee
530.	Tai Wan Kau Tsuen (大灣舊村)	1	Lamma Island (North) Rural Committee
531.	Tai Wan San Tsuen (大灣新村)	1	Lamma Island (North) Rural Committee
532.	Tai Wan Tau (大環頭)	1	Hang Hau Rural Committee
533.	Tai Wo (大窩)	1	Tai Po Rural Committee
534.	Tai Wo Tsuen (大窩村)	1	Pat Heung Rural Committee
535.	Tai Wong Ha Tsuen (大王下村)	1	Tsing Yi Rural Committee

535A. Tai Yeung Che (大陽輦)	1	Tai Po Rural Committee
536. Tai Yuen (大園)	1	Lamma Island (North) Rural Committee
537. Tak Lung Back Street (德隆後街)	1	Sai Kung Rural Committee
538. Tak Lung Front Street (德隆前街)	1	Sai Kung Rural Committee
539. Tak Yuet Lau (得月樓)	1	Ta Kwu Ling District Rural Committee
540. Tam Shui Hang (担水坑)	1	Sha Tau Kok District Rural Committee
541. Tam Wat (氹笏)	1	Sai Kung Rural Committee
542. Tan Chuk Hang (丹竹坑)	1	Fanling District Rural Committee
543. Tan Ka Wan (蛋家灣)	1	Sai Kung North Rural Committee
544. Tan Kwai Tsuen (丹桂村)	1	Ping Shan Rural Committee
545. Tap Mun (塔門)	1	Sai Kung North Rural Committee
546. Tap Mun Fishermen Village (塔門漁民村)	1	Sai Kung North Rural Committee
547. Tei Tong Tsai (地塘仔)	1	Tung Chung Rural Committee
548. Tin Fu Tsai (田夫仔)	1	Tuen Mun Rural Committee
549. Tin Ha Wan (田下灣)	1	Hang Hau Rural Committee
550. Tin Liu (田寮)	1	Sai Kung North Rural Committee
551. Tin Liu (田寮)	1	Ma Wan Rural Committee
552. Tin Liu (田寮)	1	Shap Pat Heung Rural Committee
553. Tin Liu Ha (田寮下)	1	Tai Po Rural Committee
554. Tin Shui Wai (I) (天水圍(一))	1	Ping Shan Rural Committee
555. Tin Shui Wai (II) (天水圍(二))	1	Ping Shan Rural Committee
556. Tin Sum (田心)	1	Sha Tin Rural Committee
557. Tin Sum Tsuen (田心村)	1	Ha Tsuen Rural Committee
558. Tin Sum Tsuen (田心村)	1	Pat Heung Rural Committee
559. Ting Kau (汀九)	1	Tsuen Wan Rural Committee

560.	Ting Kok (汀角)	1	Tai Po Rural Committee
561.	Tit Kim Hang (鐵鉗坑)	1	Sai Kung Rural Committee
562.	To Kwa Peng (土瓜坪)	1	Sai Kung North Rural Committee
563.	To Shek (多石)	1	Sha Tin Rural Committee
564.	To Tau Wan (渡頭灣)	1	Sha Tin Rural Committee
565.	To Yuen Tung (桃源洞)	1	Tai Po Rural Committee
566.	To Yuen Wai (桃園圍)	1	Tuen Mun Rural Committee
567.	Tong Fong (塘坊)	1	Ta Kwu Ling District Rural Committee
568.	Tong Fong Tsuen (塘坊村)	1	Ping Shan Rural Committee
569.	Tong Fuk (塘福)	1	South Lantau Rural Committee
570.	Tong Hang (Lower) (塘坑(下))	1	Fanling District Rural Committee
571.	Tong Hang (Upper) (塘坑(上))	1	Fanling District Rural Committee
572.	Tong Kung Leng (唐公嶺)	1	Sheung Shui District Rural Committee
573.	Tong Sheung Tsuen (塘上村)	1	Tai Po Rural Committee
574.	Tong Tau Po (塘頭埔)	1	Shap Pat Heung Rural Committee
575.	Tong To (塘肚)	1	Sha Tau Kok District Rural Committee
576.	Tong Yan San Tsuen (I) (唐人新村(一))	1	Ping Shan Rural Committee
577.	Tong Yan San Tsuen (II) (唐人新村(二))	1	Ping Shan Rural Committee
578.	Tong Yan San Tsuen (III) (唐人新村(三))	1	Ping Shan Rural Committee
579.	Tsak Yue Wu (鯽魚湖)	1	Sai Kung Rural Committee
580.	Tsam Chuk Wan (斬竹灣)	1	Sai Kung Rural Committee
581.	Tsat Muk Kiu (七木橋)	1	Sha Tau Kok District Rural Committee
582.	Tsat Sing Kong Tsuen (七星崗村)	1	Pat Heung Rural Committee

583.	Tseng Lan Shue (井欄樹)	1	Hang Hau Rural Committee
584.	Tseng Tau (井頭)	1	Sai Kung North Rural Committee
585.	Tseng Tau (井頭)	1	Tai Po Rural Committee
586.	Tseng Tau Tsuen (Middle and Lower) (井頭村(中及下))	1	Tuen Mun Rural Committee
587.	Tseng Tau Tsuen (Upper) (井頭村(上))	1	Tuen Mun Rural Committee
588.	Tseung Kong Wai (祥降圍)	1	Ha Tsuen Rural Committee
589.	Tseung Kwan O (將軍澳)	1	Hang Hau Rural Committee
590.	Tsing Chuen Wai (青磚圍)	1	Tuen Mun Rural Committee
591.	Tsing Fai Tong (清快塘)	1	Tsuen Wan Rural Committee
592.	Tsing Lung Tau (青龍頭)	1	Tsuen Wan Rural Committee
593.	Tsing Lung Tsuen (青龍村)	1	San Tin Rural Committee
594.	Tsing Shan Tsuen (青山村)	1	Tuen Mun Rural Committee
595.	Tsing Yi Fishermen and St. Paul's Village (青衣漁民及聖保祿村)	1	Tsing Yi Rural Committee
596.	Tsiu Hang (蕉坑)	1	Sai Kung Rural Committee
597.	Tsiu Keng (蕉徑)	1	Sheung Shui District Rural Committee
598.	Tso Wo Hang (早禾坑)	1	Sai Kung Rural Committee
599.	Tsok Pok Hang (作壘坑)	1	Sha Tin Rural Committee
600.	Tsuen Wan Sam Tsuen (荃灣三村)	1	Tsuen Wan Rural Committee
601.	Tsung Pak Long (松柏朗)	1	Sheung Shui District Rural Committee
602.	Tsung Yuen Ha (松園下)	1	Ta Kwu Ling District Rural Committee
603.	Tsz Tin Tsuen (紫田村)	1	Tuen Mun Rural Committee
604.	Tsz Tong Tsuen (祠堂村)	1	Fanling District Rural Committee
605.	Tsz Tong Tsuen (祠堂村)	1	Kam Tin Rural Committee
606.	Tuen Mun Kau Hui (屯門舊墟)	1	Tuen Mun Rural Committee

607.	Tuen Mun San Hui (屯門新墟)	1	Tuen Mun Rural Committee
608.	Tuen Mun San Tsuen (屯門新村)	1	Tuen Mun Rural Committee
609.	Tuen Tsz Wai (屯子圍)	1	Tuen Mun Rural Committee
610.	Tui Min Hoi (對面海)	1	Sai Kung Rural Committee
611.	Tung A (東丫)	1	Sai Kung Rural Committee
612.	Tung Chun Wai (東鎮圍)	1	San Tin Rural Committee
613.	Tung Lo Wan (銅鑼灣)	1	Sha Tin Rural Committee
614.	Tung O (東澳)	1	Lamma Island (South) Rural Committee
615.	Tung Sam Kei (東心淇)	1	Sai Kung North Rural Committee
616.	Tung Tau Tsuen (東頭村)	1	Ha Tsuen Rural Committee
617.	Tung Tau Tsuen (東頭村)	1	Shap Pat Heung Rural Committee
619.	Tung Tsz (洞梓)	1	Tai Po Rural Committee
620.	Uk Cheung (屋場)	1	Sai Kung Rural Committee
621.	Uk Tau (屋頭)	1	Sai Kung North Rural Committee
622.	Wa Mei Shan (畫眉山)	1	Fanling District Rural Committee
623.	Wa Shan Tsuen (華山村)	1	Sheung Shui District Rural Committee
624.	Wai Tau Tsuen (圍頭村)	1	Tai Po Rural Committee
625.	Wai Tsai (圍仔)	1	San Tin Rural Committee
625A.	Wang Chau Chung Sam Wai (橫洲忠心圍)	1	Ping Shan Rural Committee
625B.	Wang Chau Fuk Hing Tsuen (橫洲福慶村)	1	Ping Shan Rural Committee
625C.	Wang Chau Lam Uk Tsuen (橫洲林屋村)	1	Ping Shan Rural Committee
625D.	Wang Chau Sai Tau Wai (橫洲西頭圍)	1	Ping Shan Rural Committee
625E.	Wang Chau Tung Tau Wai (橫洲東頭圍)	1	Ping Shan Rural Committee
625F.	Wang Chau Yeung Uk Tsuen (橫洲楊屋村)	1	Ping Shan Rural Committee



626.	Wang Long (橫壆)	1	Lamma Island (North) Rural Committee
627.	Wang Shan Keuk (橫山脚)	1	Sha Tau Kok District Rural Committee
628.	Wang Toi Shan Ha San Uk Tsuen (橫台山下新屋村)	1	Pat Heung Rural Committee
629.	Wang Toi Shan Ho Lik Pui Tsuen (橫台山河瀝背村)	1	Pat Heung Rural Committee
630.	Wang Toi Shan Lo Uk Tsuen (橫台山羅屋村)	1	Pat Heung Rural Committee
631.	Wang Toi Shan Shan Tsuen (橫台山散村)	1	Pat Heung Rural Committee
632.	Wang Toi Shan Wing Ning Lei Tsuen (橫台山永寧里村)	1	Pat Heung Rural Committee
633.	Wing Lung Wai (永隆圍)	1	Kam Tin Rural Committee
634.	Wing Ning Tsuen (永寧村)	1	Ping Shan Rural Committee
635.	Wing Ping Tsuen (永平村)	1	San Tin Rural Committee
636.	Wo Hop Shek (和合石)	1	Fanling District Rural Committee
637.	Wo Keng Shan (禾徑山)	1	Ta Kwu Ling District Rural Committee
638.	Wo Liu (禾寮)	1	Sai Kung Rural Committee
639.	Wo Liu Hang (禾寮坑)	1	Sha Tin Rural Committee
640.	Wo Mei (窩美)	1	Sai Kung Rural Committee
641.	Wo Ping San Tsuen (和平新村)	1	Tuen Mun Rural Committee
642.	Wo Sang Wai (和生圍)	1	San Tin Rural Committee
643.	Wo Tin (窩田)	1	Mui Wo Rural Committee
644.	Wo Yi Hop (和宜合)	1	Tsuen Wan Rural Committee
645.	Wong Chuk Shan New Village (黃竹山新村)	1	Sai Kung Rural Committee
646.	Wong Chuk Wan (黃竹灣)	1	Sai Kung Rural Committee
647.	Wong Chuk Yeung (黃竹洋)	1	Sai Kung North Rural Committee

648.	Wong Chuk Yeung (黃竹洋)	1	Sha Tin Rural Committee
649.	Wong Ka Wai and Lung Tseng Tau (黃家圍及龍井頭)	1	Tung Chung Rural Committee
650.	Wong Keng Tei (黃麋地)	1	Sai Kung Rural Committee
651.	Wong Keng Tsai (黃麋仔)	1	Sai Kung Rural Committee
652.	Wong Mo Ying (黃毛應)	1	Sai Kung Rural Committee
653.	Wong Nai Tau, Tai Che and Fa Sham Hang (黃泥頭、大輦及花心坑)	1	Sha Tin Rural Committee
654.	Wong Nai Tun (黃坭墩)	1	Shap Pat Heung Rural Committee
655.	Wong Uk (王屋)	1	Sha Tin Rural Committee
656.	Wong Uk Tsuen (黃屋村)	1	Shap Pat Heung Rural Committee
657.	Wong Yi Chau (黃宜洲)	1	Sai Kung Rural Committee
658.	Wong Yue Tan (黃魚灘)	1	Tai Po Rural Committee
659.	Wu Kai Sha and Cheung Kang (烏溪沙及長徑)	1	Sha Tin Rural Committee
660.	Wu Kau Tang (烏蛟騰)	1	Sha Tau Kok District Rural Committee
661.	Wu Shek Kok (烏石角)	1	Sha Tau Kok District Rural Committee
662.	Yan Sau Wai (仁壽圍)	1	San Tin Rural Committee
663.	Yau Kam Tau (油柑頭)	1	Tsuen Wan Rural Committee
664.	Yau Tam Mei (I) (攸潭美(一))	1	San Tin Rural Committee
665.	Yau Tam Mei (II) (攸潭美(二))	1	San Tin Rural Committee
666.	Yau Yue Wan (魷魚灣)	1	Hang Hau Rural Committee
667.	Yeung Siu Hang (楊小坑)	1	Tuen Mun Rural Committee
668.	Yeung Uk (楊屋)	1	Tsuen Wan Rural Committee
670.	Yeung Uk Tsuen (楊屋村)	1	Shap Pat Heung Rural Committee
671.	Yi O (二澳)	1	Tai O Rural Committee
672.	Yi Pei Chun (二陂圳)	1	Tsuen Wan Rural Committee

673.	Yick Yuen Tsuen (亦園村)	1	Tuen Mun Rural Committee
674.	Yim Tin Kok Tsuen (鹽田角村)	1	Tsing Yi Rural Committee
675.	Yim Tin Tsai (鹽田仔)	1	Sai Kung Rural Committee
676.	Yim Tso Ha and Pok Tau Ha (鹽灶下及膊頭下)	1	Sha Tau Kok District Rural Committee
677.	Yin Kong (燕崗)	1	Sheung Shui District Rural Committee
678.	Yin Ngam (燕岩)	1	Tai Po Rural Committee
679.	Ying Lung Wai (英龍圍)	1	Shap Pat Heung Rural Committee
680.	Ying Pun (營盤)	1	Sheung Shui District Rural Committee
681.	Ying Pun Ha Chuk Hang (營盤下竹坑)	1	Tai Po Rural Committee
682.	Yue Kok (魚角)	1	Tai Po Rural Committee
683.	Yuen Kong San Tsuen (元崗新村)	1	Pat Heung Rural Committee
684.	Yuen Kong Tsuen (元崗村)	1	Pat Heung Rural Committee
685.	Yuen Leng Lei Uk (元嶺李屋)	1	Tai Po Rural Committee
686.	Yuen Leng Yip Uk (元嶺葉屋)	1	Tai Po Rural Committee
686A.	Yuen Long Kau Hui (元朗舊墟)	1	Shap Pat Heung Rural Committee
687.	Yuen Tun (圓墩)	1	Tsuen Wan Rural Committee
688.	Yuen Tun Ha (元墩下)	1	Tai Po Rural Committee
689.	Yung Shu O (榕樹澳)	1	Sai Kung North Rural Committee
690.	Yung Shue Au (榕樹凹)	1	Sha Tau Kok District Rural Committee
691.	Yung Shue Ha (榕樹下)	1	Lamma Island (South) Rural Committee
692.	Yung Shue Long (榕樹塢)	1	Lamma Island (North) Rural Committee
693.	Yung Shue Wan (榕樹灣)	1	Lamma Island (North) Rural Committee

## INDIGENOUS VILLAGE

	<i>Name of village</i>	<i>Number of persons to hold the office of indigenous inhabitant representative</i>	<i>Rural Committee</i>
1.	A Ma Wat (亞媽笏)	1	Sha Tau Kok District Rural Committee
2.	A Shan (鴉山)	1	Tai Po Rural Committee
3.	Au Ha (凹下)	1	Sha Tau Kok District Rural Committee
4.	Au Pui Wan (坳背灣)	1	Sha Tin Rural Committee
5.	Chai Kek (寨𨋖)	1	Tai Po Rural Committee
6.	Chap Wai Kon (插桅杆)	1	Sha Tin Rural Committee
7.	Chau Tau (洲頭)	2	San Tin Rural Committee
8.	Che Ha (輦下)	1	Sai Kung North Rural Committee
9.	Che Keng Tuk (輦徑篤)	1	Sai Kung Rural Committee
10.	Chek Keng (赤徑)	1	Sai Kung North Rural Committee
11.	Chek Lap Kok (赤鱸角)	1	Tung Chung Rural Committee
12.	Chek Nai Ping (赤坭坪)	2	Sha Tin Rural Committee
13.	Cheung Kong Tsuen (長江村)	1	Pat Heung Rural Committee
14.	Cheung Lek (長瀝)	1	Sheung Shui District Rural Committee
15.	Cheung Lek Mei (長瀝尾)	1	Sha Tin Rural Committee
16.	Cheung Muk Tau (樟木頭)	1	Sai Kung North Rural Committee
17.	Cheung Po Tsuen (長埔村)	1	Pat Heung Rural Committee
18.	Cheung Sha Lower Village (長沙下村)	1	South Lantao Rural Committee

19.	Cheung Sha Upper Village (長沙上村)	1	South Lantao Rural Committee
20.	Cheung Sheung (嶂上)	1	Sai Kung North Rural Committee
21.	Cheung Shue Tan (樟樹灘)	2	Tai Po Rural Committee
22.	Cheung Uk Tei (張屋地)	1	Tai Po Rural Committee
23.	Choi Uk Tsuen (蔡屋村)	1	Shap Pat Heung Rural Committee
24.	Chow Tin Tsuen (週田村)	2	Ta Kwu Ling District Rural Committee
25.	Chuen Lung (川龍)	3	Tsuen Wan Rural Committee
26.	Chuk Hang Tsuen (竹坑村)	1	Pat Heung Rural Committee
27.	Chuk Yuen (竹園)	1	Ta Kwu Ling District Rural Committee
28.	Chuk Yuen (竹園)	1	San Tin Rural Committee
29.	Chung Kwai Chung (中葵 涌)	3	Tsuen Wan Rural Committee
30.	Chung Mei San Tsuen (涌 尾新村)	1	Tai Po Rural Committee
31.	Chung Mei Tsuen (涌美村)	3	Tsing Yi Rural Committee
32.	Chung Pui San Tsuen (涌背 新村)	1	Tai Po Rural Committee
34.	Chung Uk Tsuen (鍾屋村)	1	Tai Po Rural Committee
35.	Chung Uk Tsuen (鍾屋村)	2	Tuen Mun Rural Committee
36.	Fan Lau (汾流)	1	Tai O Rural Committee
37.	Fan Leng Lau (粉嶺樓)	2	Fanling District Rural Committee
38.	Fan Tin San Yi Cho (蕃田 莘野祖)	3	San Tin Rural Committee
39.	Fanling Wai (粉嶺圍)	3	Fanling District Rural Committee
40.	Fo Tan (火炭)	1	Sha Tin Rural Committee
41.	Fong Ma Po (放馬莆)	1	Tai Po Rural Committee
42.	Fu Tau Chau (斧頭洲)	1	Hang Hau Rural Committee
43.	Fu Tei Pai (虎地排)	1	Fanling District Rural Committee
44.	Fu Tei Tsuen (虎地村)	1	Tuen Mun Rural Committee
45.	Fu Yung Pei (芙蓉泌)	1	Sha Tin Rural Committee

46.	Fui Sha Wai (灰沙圍)	1	Ping Shan Rural Committee
48.	Fung Chi Tsuen (鳳池村)	1	Ping Shan Rural Committee
49.	Fung Hang (鳳坑)	1	Sha Tau Kok District Rural Committee
50.	Fung Kong Tsuen (鳳降村)	1	Ha Tsuen Rural Committee
51.	Fung Shue Wo Tsuen (楓樹窩村)	1	Tsing Yi Rural Committee
52.	Fung Wong Wu (鳳凰湖)	1	Ta Kwu Ling District Rural Committee
53.	Fung Yuen (鳳園)	1	Tai Po Rural Committee
54.	Ha Che Tsuen (下輦村)	1	Pat Heung Rural Committee
55.	Ha Fa Shan (下花山)	1	Tsuen Wan Rural Committee
56.	Ha Hang (下坑)	2	Tai Po Rural Committee
57.	Ha Keng Hau (下徑口)	1	Sha Tin Rural Committee
58.	Ha Kwai Chung (下葵涌)	2	Tsuen Wan Rural Committee
59.	Ha Ling Pei (下嶺皮)	1	Tung Chung Rural Committee
60.	Ha Mei San Tsuen (蝦尾新村)	1	Ping Shan Rural Committee
61.	Ha Shan Kai Wat (下山雞乙)	1	Ta Kwu Ling District Rural Committee
62.	Ha Tei Ha (蝦地下)	1	Tai Po Rural Committee
63.	Ha Tsuen Shi (廈村市)	1	Ha Tsuen Rural Committee
64.	Ha Wo Che (下禾輦)	1	Sha Tin Rural Committee
65.	Ha Wo Hang (下禾坑)	1	Sha Tau Kok District Rural Committee
66.	Ha Wong Yi Au (下黃宜坳)	1	Tai Po Rural Committee
67.	Ha Wun Yiu (下碗窩)	1	Tai Po Rural Committee
68.	Ha Yau Tin (下攸田)	1	Shap Pat Heung Rural Committee
69.	Ha Yeung (下洋)	1	Sai Kung North Rural Committee
70.	Ha Yeung (下洋)	1	Hang Hau Rural Committee
71.	Ham Tin (咸田)	1	South Lantao Rural Committee
72.	Ham Tin (咸田)	1	Tsuen Wan Rural Committee
73.	Hang Ha Po (坑下莆)	1	Tai Po Rural Committee

74.	Hang Hau (坑口)	3	Hang Hau Rural Committee
75.	Hang Mei Tsuen (坑尾村)	3	Ping Shan Rural Committee
76.	Hang Tau (坑頭)	2	Sheung Shui District Rural Committee
77.	Hang Tau Tsuen (坑頭村)	2	Ping Shan Rural Committee
78.	Heung Yuen Wai (香園圍)	1	Ta Kwu Ling District Rural Committee
79.	Hin Tin (顯田)	1	Sha Tin Rural Committee
80.	Hing Keng Shek (慶徑石)	1	Sai Kung Rural Committee
81.	Ho Chung (蠔涌)	2	Sai Kung Rural Committee
82.	Ho Lek Pui (河瀝背)	1	Sha Tin Rural Committee
83.	Ho Pui (河背)	2	Tsuen Wan Rural Committee
84.	Ho Pui Tsuen (河背村)	1	Pat Heung Rural Committee
85.	Ho Sheung Heung (河上鄉)	2	Sheung Shui District Rural Committee
86.	Hoi Ha (海下)	1	Sai Kung North Rural Committee
87.	Hoi Pa (Cheung Pei Shan Road) (海壩(象鼻山路))	2	Tsuen Wan Rural Committee
88.	Hoi Pa (South Platform) (海壩(南台))	1	Tsuen Wan Rural Committee
89.	Hoi Pa (Wo Yi Hop Road and Kwok Shui Road) (海壩(和宜合道及國瑞道))	3	Tsuen Wan Rural Committee
90.	Hok Tau Wai (鶴藪圍)	1	Fanling District Rural Committee
91.	Hong Mei Tsuen (巷尾村)	1	Ha Tsuen Rural Committee
92.	Hung Cho Tin (紅棗田)	1	Shap Pat Heung Rural Committee
93.	Hung Leng (孔嶺)	1	Fanling District Rural Committee
94.	Hung Uk Tsuen (洪屋村)	1	Ping Shan Rural Committee
95.	Kai Ham (界咸)	1	Sai Kung Rural Committee
96.	Kai Leng (雞嶺)	1	Sheung Shui District Rural Committee
97.	Kak Tin (隔田)	2	Sha Tin Rural Committee
98.	Kam Chuk Pai San Tsuen (金竹排新村)	1	Tai Po Rural Committee

99.	Kam Shan Village (錦山村)	3	Tai Po Rural Committee
100.	Kam Tin Shing Mun San Tsuen (錦田城門新村)	1	Kam Tin Rural Committee
101.	Kam Tsin (金錢)	2	Sheung Shui District Rural Committee
102.	Kam Tsin Wai Tsuen (金錢圍村)	1	Pat Heung Rural Committee
103.	Kan Tau Tsuen (簡頭村)	1	Fanling District Rural Committee
104.	Kan Tau Wai (簡頭圍)	1	Ta Kwu Ling District Rural Committee
105.	Kap Lung Tsuen (甲龍村)	1	Pat Heung Rural Committee
106.	Kap Tong (蛤塘)	1	Sha Tau Kok District Rural Committee
107.	Kat Hing Wai (吉慶圍)	2	Kam Tin Rural Committee
108.	Kat O (吉澳)	3	Sha Tau Kok District Rural Committee
109.	Kau Liu Ha (較寮下)	1	Tai Po Rural Committee
110.	Kau Lung Hang (九龍坑)	2	Tai Po Rural Committee
111.	Kau Sai San Tsuen (濳西新村)	1	Sai Kung Rural Committee
112.	Kau Tam Tso (九担租)	1	Sha Tau Kok District Rural Committee
113.	Kau To (九肚)	1	Sha Tin Rural Committee
114.	Kau Wah Keng (九華徑)	2	Tsuen Wan Rural Committee
115.	Kei Ling Ha Lo Wai (企嶺下老圍)	1	Sai Kung North Rural Committee
116.	Kei Ling Ha San Wai (企嶺下新圍)	1	Sai Kung North Rural Committee
117.	Kei Lun Wai (麒麟圍)	1	Tuen Mun Rural Committee
118.	Keung Shan, Lower (下羗山)	1	Tai O Rural Committee
119.	Kiu Tau Wai (橋頭圍)	1	Ping Shan Rural Committee
120.	Ko Lau Wan (高流灣)	2	Sai Kung North Rural Committee
121.	Ko Long (高塱)	1	Lamma Island (North) Rural Committee



122.	Ko Po (高莆)	1	Fanling District Rural Committee
123.	Ko Po Tsuen (高埔村)	1	Kam Tin Rural Committee
124.	Ko Tong (高塘)	1	Sai Kung North Rural Committee
125.	Kong Ha (崗下)	1	Sha Tau Kok District Rural Committee
126.	Kong Tau (港頭)	1	Shap Pat Heung Rural Committee
127.	Kuk Po (谷埔)	2	Sha Tau Kok District Rural Committee
128.	Kwan Mun Hau (關門口)	3	Tsuen Wan Rural Committee
129.	Kwan Tei (軍地)	2	Fanling District Rural Committee
130.	Kwu Hang (古坑)	1	Tsuen Wan Rural Committee
131.	Kwun Hang (官坑)	1	Sai Kung North Rural Committee
132.	Lai Chi Chong (荔枝莊)	1	Sai Kung North Rural Committee
133.	Lai Chi Shan (荔枝山)	1	Tai Po Rural Committee
134.	Lai Chi Wo (荔枝窩)	2	Sha Tau Kok District Rural Committee
134A.	Lai Pek Shan (犁壁山)	1	Tai Po Rural Committee
135.	Lai Tau Shek (犁頭石)	1	Sha Tau Kok District Rural Committee
136.	Lam Hau Tsuen (欖口村)	2	Ping Shan Rural Committee
137.	Lam Tei (藍地)	1	Tuen Mun Rural Committee
138.	Lam Tin Tsuen (藍田村)	2	Tsing Yi Rural Committee
140.	Lau Shui Heung (流水响)	1	Fanling District Rural Committee
141.	Lee Uk Tsuen (李屋村)	1	Ha Tsuen Rural Committee
142.	Lei Uk (李屋)	1	Ta Kwu Ling District Rural Committee
143.	Leng Pei Tsuen (嶺皮村)	1	Fanling District Rural Committee
144.	Leng Tsai (嶺仔)	1	Fanling District Rural Committee
145.	Leng Tsui (嶺咀)	1	Fanling District Rural Committee
146.	Leung Tin Tsuen (良田村)	1	Tuen Mun Rural Committee
147.	Leung Uk (梁屋)	1	Tai O Rural Committee
148.	Lin Au, Cheng Uk (蓮澳鄭屋)	1	Tai Po Rural Committee

149.	Lin Au, Lei Uk (蓮澳李屋)	1	Tai Po Rural Committee
150.	Lin Fa Tei (蓮花地)	2	Pat Heung Rural Committee
151.	Lin Ma Hang (蓮麻坑)	2	Sha Tau Kok District Rural Committee
152.	Lin Tong Mei (蓮塘尾)	1	Sheung Shui District Rural Committee
153.	Liu Pok (料壘)	2	Sheung Shui District Rural Committee
154.	Lo So Shing (蘆鬚城)	1	Lamma Island (South) Rural Committee
155.	Lo Tik Wan (蘆荻灣)	1	Lamma Island (North) Rural Committee
156.	Lo Tsz Tin (蘆慈田)	1	Tai Po Rural Committee
157.	Lo Uk Tsuen (老屋村)	1	Tsing Yi Rural Committee
158.	Lo Uk Tsuen (羅屋村)	1	Ha Tsuen Rural Committee
159.	Lo Wai (老圍)	3	Tsuen Wan Rural Committee
160.	Loi Tung (萊洞)	1	Sha Tau Kok District Rural Committee
161.	Lok Lo Ha (落路下)	1	Sha Tin Rural Committee
162.	Lok Ma Chau (落馬洲)	1	San Tin Rural Committee
163.	Long Ke (浪茄)	1	Sai Kung Rural Committee
164.	Long Keng (浪徑)	1	Sai Kung Rural Committee
165.	Luk Chau (鹿洲)	1	Lamma Island (South) Rural Committee
166.	Luk Keng (鹿頸)	1	Ma Wan Rural Committee
167.	Luk Keng Chan Uk (鹿頸陳屋)	2	Sha Tau Kok District Rural Committee
168.	Luk Keng Wong Uk (鹿頸黃屋)	1	Sha Tau Kok District Rural Committee
169.	Luk Tei Tong (鹿地塘)	1	Mui Wo Rural Committee
170.	Lung A Pei (龍丫排)	1	Tai Po Rural Committee
171.	Lung Kwu Tan (龍鼓灘)	2	Tuen Mun Rural Committee
172.	Lung Mei (龍尾)	2	Tai Po Rural Committee
173.	Lung Mei (龍尾)	1	Sai Kung Rural Committee

174.	Lung Yeuk Tau (龍躍頭)	3	Fanling District Rural Committee
175.	Ma Kwu Lam (馬牯纜)	1	Sai Kung North Rural Committee
176.	Ma Liu (馬料)	1	Sha Tin Rural Committee
177.	Ma Mei Ha (馬尾下)	1	Fanling District Rural Committee
178.	Ma Nam Wat (麻南笏)	1	Sai Kung Rural Committee
179.	Ma Niu Shui San Tsuen (馬料水新村)	1	Fanling District Rural Committee
180.	Ma On Kong Tsuen (馬鞍崗村)	1	Pat Heung Rural Committee
181.	Ma On Shan (馬鞍山)	1	Sha Tin Rural Committee
182.	Ma Po Mei (麻布尾)	1	Tai Po Rural Committee
183.	Ma Sim Pai (馬閃排)	1	Tsuen Wan Rural Committee
184.	Ma Tin (馬田)	2	Shap Pat Heung Rural Committee
185.	Ma Tseuk Leng Ha (麻雀嶺下)	1	Sha Tau Kok District Rural Committee
186.	Ma Tseuk Leng Sheung (麻雀嶺上)	1	Sha Tau Kok District Rural Committee
187.	Ma Wan Chung (馬灣涌)	1	Tung Chung Rural Committee
188.	Ma Wan Main Street (馬灣大街)	5	Ma Wan Rural Committee
189.	Ma Wat Tsuen (麻笏村)	2	Fanling District Rural Committee
190.	Ma Yau Tong (馬游塘)	1	Hang Hau Rural Committee
191.	Mai Po Tsuen (米埔村)	2	San Tin Rural Committee
192.	Man Kok Tsui (萬角咀)	1	Mui Wo Rural Committee
193.	Man Uk Pin (萬屋邊)	1	Sha Tau Kok District Rural Committee
194.	Man Wo (蠻窩)	1	Sai Kung Rural Committee
195.	Man Yee Wan New Village (萬宜灣新村)	1	Sai Kung Rural Committee
196.	Mang Kung Uk (孟公屋)	5	Hang Hau Rural Committee
197.	Mau Ping New Village (茅坪新村)	1	Sai Kung Rural Committee
198.	Mau Tat (茅笪)	1	Sha Tin Rural Committee

199.	Mau Tso Ngam (茂草岩)	1	Sha Tin Rural Committee
200.	Mau Wu Tsai (茅湖仔)	1	Hang Hau Rural Committee
201.	Ming Tak Tong (明德堂)	3	San Tin Rural Committee
202.	Miu Tin (苗田)	1	Sha Tau Kok District Rural Committee
203.	Mo Tat (模達)	1	Lamma Island (South) Rural Committee
204.	Mo Tat Wan (模達灣)	1	Lamma Island (South) Rural Committee
205.	Mok Ka (莫家)	1	Tung Chung Rural Committee
206.	Mok Tse Che (莫遮峯)	1	Sai Kung Rural Committee
207.	Mong Tseng Tsuen (輞井村)	2	Ping Shan Rural Committee
208.	Mong Tseng Wai (輞井圍)	2	Ping Shan Rural Committee
209.	Mong Tung Wan (望東灣)	1	South Lantao Rural Committee
210.	Mui Shue Hang (梅樹坑)	1	Tai Po Rural Committee
211.	Mui Tsz Lam (梅子林)	1	Sha Tau Kok District Rural Committee
212.	Mui Tsz Lam (梅子林)	1	Sha Tin Rural Committee
213.	Muk Kiu Tau (木橋頭)	1	Shap Pat Heung Rural Committee
214.	Muk Min Ha (木棉下)	2	Tsuen Wan Rural Committee
215.	Muk Wu (木湖)	1	Ta Kwu Ling District Rural Committee
216.	Nai Chung (泥涌)	1	Sai Kung North Rural Committee
217.	Nai Wai (泥圍)	2	Tuen Mun Rural Committee
218.	Nam A (南丫)	1	Sai Kung Rural Committee
219.	Nam Bin Wai (南邊圍)	4	Shap Pat Heung Rural Committee
220.	Nam Chung (南涌)	2	Sha Tau Kok District Rural Committee
221.	Nam Hang (南坑)	2	Tai Po Rural Committee
222.	Nam Hang (南坑)	1	Shap Pat Heung Rural Committee
223.	Nam Shan (南山)	1	Sai Kung Rural Committee
224.	Nam Shan Tung (南山洞)	1	Sai Kung North Rural Committee
225.	Nam Wa Po (南華莆)	1	Tai Po Rural Committee

226.	Nam Wai (南圍)	2	Sai Kung Rural Committee
227.	Ng Tung Chai (梧桐寨)	1	Tai Po Rural Committee
228.	Ng Uk Tsuen (吳屋村)	1	Sheung Shui District Rural Committee
229.	Ng Uk Tsuen (吳屋村)	2	Ping Shan Rural Committee
230.	Nga Iu Tau Tsun (瓦窰頭村)	1	Sai Kung North Rural Committee
231.	Nga Yiu Ha (瓦窰下)	1	Ta Kwu Ling District Rural Committee
232.	Ngar Yiu Tau (瓦窰頭)	1	Shap Pat Heung Rural Committee
233.	Ngau Au (牛凹)	1	Tung Chung Rural Committee
234.	Ngau Hom Tsuen (鰲磡村)	1	Ping Shan Rural Committee
235.	Ngau Keng Tsuen (牛徑村)	2	Pat Heung Rural Committee
236.	Ngau Kwu Long (牛牯塢)	1	Mui Wo Rural Committee
237.	Ngau Pei Sha (牛皮沙)	1	Sha Tin Rural Committee
238.	Ngau Shi Wu (牛屎湖)	1	Sha Tau Kok District Rural Committee
239.	Ngong Ping (昂坪)	1	Sai Kung North Rural Committee
240.	Ngong Ping (昂坪)	2	Tai O Rural Committee
241.	Ngong Wo (昂窩)	1	Sai Kung Rural Committee
242.	Nim Wan (稔灣)	2	Tuen Mun Rural Committee
243.	O Tau (澳頭)	1	Sai Kung Rural Committee
244.	On Lung Tsuen (安龍村)	1	San Tin Rural Committee
245.	Pa Mei (壩尾)	1	Tung Chung Rural Committee
246.	Pai Tau (排頭)	2	Sha Tin Rural Committee
247.	Pak A (北丫)	1	Sai Kung Rural Committee
248.	Pak Kok Kau Tsuen (北角舊村)	2	Lamma Island (North) Rural Committee
249.	Pak Kok San Tsuen (北角新村)	1	Lamma Island (North) Rural Committee
250.	Pak Kong (北港)	1	Sai Kung Rural Committee
251.	Pak Kong Au (北港坳)	1	Sai Kung Rural Committee
252.	Pak Lap (白腊)	1	Sai Kung Rural Committee

253.	Pak Mong (白芒)	1	Mui Wo Rural Committee
254.	Pak Ngan Heung (白銀鄉)	1	Mui Wo Rural Committee
255.	Pak Ngau Shek Ha Tsuen (白牛石下村)	1	Tai Po Rural Committee
256.	Pak Ngau Shek Sheung Tsuen (白牛石上村)	1	Tai Po Rural Committee
257.	Pak Sha (白沙)	1	Shap Pat Heung Rural Committee
258.	Pak Sha O (白沙澳)	1	Sai Kung North Rural Committee
259.	Pak Tam (北潭)	1	Sai Kung Rural Committee
260.	Pak Tam Au (北潭凹)	1	Sai Kung North Rural Committee
261.	Pak Tam Chung (北潭涌)	1	Sai Kung Rural Committee
262.	Pak Tin Pa (白田壩)	1	Tsuen Wan Rural Committee
263.	Pak Wai (北圍)	1	Sai Kung Rural Committee
264.	Pan Chung (泮涌)	2	Tai Po Rural Committee
265.	Pan Chung San Tsuen (泮涌 新村)	1	Tai Po Rural Committee
266.	Pan Long Wan (檳榔灣)	1	Hang Hau Rural Committee
267.	Pat Tsz Wo (拔子窩)	1	Sha Tin Rural Committee
268.	Pik Uk (壁屋)	1	Sai Kung Rural Committee
269.	Ping Chau Chau Mei (平洲 洲尾)	1	Sai Kung North Rural Committee
270.	Ping Chau Chau Tau (平洲 洲頭)	1	Sai Kung North Rural Committee
271.	Ping Chau Nai Tau (平洲奶 頭)	1	Sai Kung North Rural Committee
272.	Ping Chau Sha Tau (平洲沙 頭)	1	Sai Kung North Rural Committee
273.	Ping Chau Tai Tong (平洲 大塘)	1	Sai Kung North Rural Committee
274.	Ping Che (坪輦)	1	Ta Kwu Ling District Rural Committee
275.	Ping Kong (丙崗)	1	Sheung Shui District Rural Committee
276.	Ping Long (坪朗)	1	Tai Po Rural Committee

277.	Ping Shan Chai (坪山仔)	1	Tai Po Rural Committee
278.	Ping Shan San Tsuen (屏山新村)	1	Ping Shan Rural Committee
279.	Ping Tun (坪墩)	1	Sai Kung Rural Committee
280.	Ping Yeung (坪洋)	4	Ta Kwu Ling District Rural Committee
281.	Po Sam Pai (布心排)	2	Tai Po Rural Committee
282.	Po Toi (蒲台)	1	Lamma Island (South) Rural Committee
283.	Po Toi O (布袋澳)	1	Hang Hau Rural Committee
284.	Po Tong Ha (寶塘下)	1	Tuen Mun Rural Committee
285.	Pok Wai (壘圍)	2	San Tin Rural Committee
286.	Pui O Lo Uk Tsuen (貝澳羅屋村)	1	South Lantau Rural Committee
287.	Pui O Lo Wai (貝澳老圍)	2	South Lantau Rural Committee
288.	Pui O San Wai (貝澳新圍)	1	South Lantau Rural Committee
289.	Pun Shan Chau (半山洲)	1	Tai Po Rural Committee
290.	Pun Uk Tsuen (潘屋村)	1	San Tin Rural Committee
291.	Sai Bin Wai (西邊圍)	2	Shap Pat Heung Rural Committee
292.	Sai Keng (西徑)	1	Sai Kung North Rural Committee
293.	Sai Lau Kok (西樓角)	1	Tsuen Wan Rural Committee
294.	Sai O (西澳)	1	Sai Kung North Rural Committee
296.	Sai Wan (西灣)	1	Sai Kung Rural Committee
297.	Sam A (三桠)	1	Sha Tau Kok District Rural Committee
298.	Sam Tung Uk (三棟屋)	3	Tsuen Wan Rural Committee
299.	San Hing Tsuen (新慶村)	1	Tuen Mun Rural Committee
300.	San Hing Tsuen (新慶村)	1	Ping Shan Rural Committee
301.	San Lung Tsuen (新龍村)	1	San Tin Rural Committee
302.	San Sang Tsuen (新生村)	1	Ha Tsuen Rural Committee
303.	San Shek Wan (磡石灣)	1	South Lantau Rural Committee
304.	San Tau (磡頭)	1	Tai O Rural Committee
305.	San Tau Kok (磡頭角)	2	Tai Po Rural Committee

306.	San Tin (新田)	2	Sha Tin Rural Committee
307.	San Tong (新塘)	1	Tai Po Rural Committee
308.	San Tong Po (新塘莆)	1	Fanling District Rural Committee
309.	San Tsuen (新村)	1	Sha Tau Kok District Rural Committee
310.	San Tsuen (新村)	3	Tsuen Wan Rural Committee
311.	San Tsuen (Lam Tsuen) (新村(林村))	1	Tai Po Rural Committee
312.	San Uk Ka (新屋家)	1	Tai Po Rural Committee
313.	San Uk Ling (新屋嶺)	1	Ta Kwu Ling District Rural Committee
314.	San Uk Tsai (新屋仔)	1	Fanling District Rural Committee
315.	San Uk Tsai (新屋仔)	1	Tai Po Rural Committee
316.	San Uk Tsuen (新屋村)	1	Tsing Yi Rural Committee
317.	San Uk Tsuen (新屋村)	1	Ha Tsuen Rural Committee
318.	San Wai (新圍)	4	Ha Tsuen Rural Committee
319.	San Wai Tsai (新圍仔)	2	Tai Po Rural Committee
320.	San Wai Tsai (新圍仔)	1	Tuen Mun Rural Committee
321.	Sha Ha (沙下)	1	Sai Kung Rural Committee
322.	Sha Kok Mei (沙角尾)	3	Sai Kung Rural Committee
323.	Sha Kong Wai (沙江圍)	2	Ping Shan Rural Committee
324.	Sha Lo Tung Cheung Uk (沙螺洞張屋)	2	Tai Po Rural Committee
325.	Sha Lo Tung Lei Uk (沙螺洞李屋)	1	Tai Po Rural Committee
326.	Sha Lo Wan (沙螺灣)	1	Tai O Rural Committee
327.	Sha Po (沙埔)	1	Lamma Island (North) Rural Committee
328.	Sha Po Tsuen (沙埔村)	2	Kam Tin Rural Committee
329.	Sha Tin Wai (沙田圍)	1	Sha Tin Rural Committee
330.	Sha Tsui New Village (沙咀新村)	1	Sai Kung Rural Committee
331.	Sham Chung (深涌)	2	Sai Kung North Rural Committee



332.	Sham Chung (深涌)	1	Shap Pat Heung Rural Committee
333.	Sham Tseng (深井)	2	Tsuen Wan Rural Committee
334.	Shan Ha Tsuen (山廈村)	3	Ping Shan Rural Committee
335.	Shan Ha Wai (山下圍)	1	Sha Tin Rural Committee
336.	Shan Liu (山寮)	1	Tai Po Rural Committee
337.	Shan Liu (山寮)	1	Sai Kung Rural Committee
338.	Shan Mei (山尾)	1	Sha Tin Rural Committee
339.	Shan Pui (山貝)	3	Shap Pat Heung Rural Committee
340.	Shan Tsui (山嘴)	2	Sha Tau Kok District Rural Committee
341.	Shap Long (拾浪)	1	South Lantao Rural Committee
342.	Shap Yi Wat (十二笏)	1	Sha Tin Rural Committee
343.	She Shan (社山)	1	Tai Po Rural Committee
344.	She Tau (蛇頭)	1	Sai Kung Rural Committee
345.	Shek Hang (石坑)	1	Sai Kung Rural Committee
346.	Shek Kiu Tau (石橋頭)	1	Sha Tau Kok District Rural Committee
347.	Shek Kwu Lung (石鼓壟)	1	Tai Po Rural Committee
348.	Shek Lau Po (石榴埔)	1	Tung Chung Rural Committee
349.	Shek Lung Tsai (石壟仔)	1	Sha Tin Rural Committee
350.	Shek Mun Kap (石門甲)	1	Tung Chung Rural Committee
351.	Shek Pik San Tsuen (石碧新村)	1	Tsuen Wan Rural Committee
352.	Shek Po Tsuen (石埗村)	2	Ping Shan Rural Committee
353.	Shek Wai Kok (石圍角)	1	Tsuen Wan Rural Committee
354.	Shek Wu Tong Tsuen (石湖塘村)	2	Pat Heung Rural Committee
355.	Shek Wu Wai (石湖圍)	1	San Tin Rural Committee
356.	Sheung Che Tsuen (上輦村)	1	Pat Heung Rural Committee
357.	Sheung Cheung Wai (上璋圍)	1	Ping Shan Rural Committee
358.	Sheung Keng Hau (上徑口)	1	Sha Tin Rural Committee

359.	Sheung Kwai Chung (上葵涌)	2	Tsuen Wan Rural Committee
360.	Sheung Ling Pei (上嶺皮)	1	Tung Chung Rural Committee
361.	Sheung Shan Kai Wat (上山雞乙)	1	Ta Kwu Ling District Rural Committee
362.	Sheung Shui Heung (上水鄉)	3	Sheung Shui District Rural Committee
363.	Sheung Sze Wan (相思灣)	1	Hang Hau Rural Committee
364.	Sheung Tsuen (上村)	3	Pat Heung Rural Committee
365.	Sheung Wo Che (上禾輦)	1	Sha Tin Rural Committee
366.	Sheung Wo Hang (上禾坑)	2	Sha Tau Kok District Rural Committee
367.	Sheung Wong Yi Au (上黃宜坳)	1	Tai Po Rural Committee
368.	Sheung Wun Yiu (上碗窰)	1	Tai Po Rural Committee
369.	Sheung Yau Tin (上攸田)	1	Shap Pat Heung Rural Committee
370.	Sheung Yeung (上洋)	1	Hang Hau Rural Committee
371.	Shing Uk Tsuen (盛屋村)	1	Ping Shan Rural Committee
372.	Shuen Wan Chan Uk (船灣陳屋)	1	Tai Po Rural Committee
373.	Shuen Wan Chim Uk (船灣詹屋)	1	Tai Po Rural Committee
374.	Shuen Wan Lei Uk (船灣李屋)	1	Tai Po Rural Committee
375.	Shuen Wan Sha Lan (船灣沙欄)	1	Tai Po Rural Committee
376.	Shuen Wan Wai Ha (船灣圍下)	1	Tai Po Rural Committee
377.	Shui Chiu Lo Wai (水蕉老圍)	2	Shap Pat Heung Rural Committee
378.	Shui Chiu San Tsuen (水蕉新村)	2	Shap Pat Heung Rural Committee
379.	Shui Hau (水口)	1	South Lantao Rural Committee

380.	Shui Lau Tin Tsuen (水流田村)	1	Pat Heung Rural Committee
381.	Shui Mei Tsuen (水尾村)	1	Kam Tin Rural Committee
382.	Shui Pin Tsuen (水邊村)	1	Ping Shan Rural Committee
383.	Shui Pin Wai (水邊圍)	1	Ping Shan Rural Committee
384.	Shui Tau Tsuen (水頭村)	2	Kam Tin Rural Committee
385.	Shui Tin Tsuen (水田村)	1	Ping Shan Rural Committee
386.	Shui Tsan Tin Tsuen (水盞田村)	1	Pat Heung Rural Committee
387.	Shui Wo (水窩)	1	Tai Po Rural Committee
388.	Sik Kong Tsuen (錫降村)	2	Ha Tsuen Rural Committee
389.	Sik Kong Wai (錫降圍)	2	Ha Tsuen Rural Committee
390.	Siu A Chau (小鴉洲)	1	South Lantao Rural Committee
391.	Siu Hang San Tsuen (小坑新村)	1	Fanling District Rural Committee
392.	Siu Hang Tsuen (小坑村)	1	Tuen Mun Rural Committee
393.	Siu Kau San Tsuen (小澗新村)	1	Tai Po Rural Committee
394.	Siu Lek Yuen (小瀝源)	2	Sha Tin Rural Committee
395.	Siu Om Shan (小菴山)	1	Tai Po Rural Committee
396.	So Kwun Wat (掃管笏)	3	Tuen Mun Rural Committee
397.	So Lo Pun (鎖羅盆)	1	Sha Tau Kok District Rural Committee
398.	Sok Kwu Wan (索罟灣)	1	Lamma Island (South) Rural Committee
399.	Sun Fung Wai (順風圍)	2	Tuen Mun Rural Committee
400.	Sz Tau Leng (獅頭嶺)	1	Fanling District Rural Committee
401.	Ta Ho Tun (打蠔墩)	1	Sai Kung Rural Committee
402.	Ta Pang Po (打棚埔)	1	Ma Wan Rural Committee
403.	Ta Shek Wu Tsuen (打石湖村)	1	Pat Heung Rural Committee
404.	Ta Tit Yan (打鐵印)	1	Tai Po Rural Committee
405.	Tai A Chau (大鴉洲)	1	South Lantao Rural Committee

406.	Tai Hang (泰亨)	3	Tai Po Rural Committee
407.	Tai Hang Hau (大坑口)	1	Hang Hau Rural Committee
408.	Tai Ho (大蠔)	1	Mui Wo Rural Committee
409.	Tai Hong Wai (泰康圍)	1	Kam Tin Rural Committee
410.	Tai Kau San Tsuen (大滘新村)	1	Tai Po Rural Committee
411.	Tai Kiu (大橋)	1	Shap Pat Heung Rural Committee
412.	Tai Lam Chung (大欖涌)	2	Tuen Mun Rural Committee
413.	Tai Lam Liu (大南寮)	1	Sha Tin Rural Committee
414.	Tai Lam Wu (大藍湖)	1	Sai Kung Rural Committee
415.	Tai Long (大朗)	1	Sha Tau Kok District Rural Committee
416.	Tai Long (大浪)	1	South Lantao Rural Committee
417.	Tai Long (大浪)	1	Sai Kung Rural Committee
418.	Tai Long Wan (大浪灣)	1	Tai O Rural Committee
419.	Tai Mei Tuk (大美督)	2	Tai Po Rural Committee
421.	Tai Mong Tsai (大網仔)	1	Sai Kung Rural Committee
422.	Tai No (大腦)	1	Sai Kung Rural Committee
423.	Tai Om (大菴)	1	Tai Po Rural Committee
424.	Tai Om Shan (大菴山)	1	Tai Po Rural Committee
425.	Tai Pak (大白)	1	Peng Chau Rural Committee
426.	Tai Peng Tsuen (大坪村)	2	Lamma Island (North) Rural Committee
427.	Tai Po (低埔)	1	Tung Chung Rural Committee
428.	Tai Po Kau (大埔滘)	1	Tai Po Rural Committee
429.	Tai Po Kau Hui (大埔舊墟)	3	Tai Po Rural Committee
430.	Tai Po Mei (大埔尾)	2	Tai Po Rural Committee
431.	Tai Po Tau (大埔頭)	2	Tai Po Rural Committee
432.	Tai Po Tau Shui Wai (大埔頭水圍)	1	Tai Po Rural Committee
433.	Tai Po Tin (大埔田)	1	Ta Kwu Ling District Rural Committee
434.	Tai Po Tsai (大埔仔)	2	Hang Hau Rural Committee

435.	Tai Po Tsai (大埗仔)	1	Sai Kung Rural Committee
436.	Tai She Wan (大蛇灣)	1	Sai Kung Rural Committee
437.	Tai Shui Hang (大水坑)	1	Sha Tin Rural Committee
438.	Tai Tan (大灘)	1	Sai Kung North Rural Committee
439.	Tai Tau Leng (大頭嶺)	2	Sheung Shui District Rural Committee
440.	Tai Tei Tong (大地塘)	1	Mui Wo Rural Committee
441.	Tai Tong (大棠)	1	Shap Pat Heung Rural Committee
442.	Tai Tong Wu (大塘湖)	1	Sha Tau Kok District Rural Committee
443.	Tai Tseng Wai (大井圍)	1	Ping Shan Rural Committee
444.	Tai Tsing Chau (大青洲)	1	Ma Wan Rural Committee
445.	Tai Tung (大洞)	1	Sai Kung North Rural Committee
446.	Tai Uk Wai (大屋圍)	2	Tsuen Wan Rural Committee
447.	Tai Wai (大圍)	2	Shap Pat Heung Rural Committee
448.	Tai Wai (大圍)	3	Sha Tin Rural Committee
449.	Tai Wan (大環)	1	Sai Kung Rural Committee
450.	Tai Wan Kau Tsuen (大灣舊村)	1	Lamma Island (North) Rural Committee
451.	Tai Wan San Tsuen (大灣新村)	1	Lamma Island (North) Rural Committee
452.	Tai Wan Tau (大環頭)	1	Hang Hau Rural Committee
453.	Tai Wo (大窩)	1	Tai Po Rural Committee
454.	Tai Wo Tsuen (大窩村)	1	Pat Heung Rural Committee
455.	Tai Wong Ha Tsuen (大王下村)	5	Tsing Yi Rural Committee
455A.	Tai Yeung Che (大陽輦)	1	Tai Po Rural Committee
456.	Tai Yuen (大園)	1	Lamma Island (North) Rural Committee
457.	Tam Shui Hang (担水坑)	3	Sha Tau Kok District Rural Committee
458.	Tam Wat (氹笏)	1	Sai Kung Rural Committee
459.	Tan Chuk Hang (丹竹坑)	1	Fanling District Rural Committee

460.	Tan Ka Wan (蛋家灣)	1	Sai Kung North Rural Committee
461.	Tap Mun (塔門)	2	Sai Kung North Rural Committee
462.	Tei Tong Tsai (地塘仔)	1	Tung Chung Rural Committee
463.	Tin Fu Tsai (田夫仔)	1	Tuen Mun Rural Committee
464.	Tin Ha Wan (田下灣)	1	Hang Hau Rural Committee
465.	Tin Liu (田寮)	1	Sai Kung North Rural Committee
466.	Tin Liu (田寮)	4	Ma Wan Rural Committee
467.	Tin Liu (田寮)	1	Shap Pat Heung Rural Committee
468.	Tin Liu Ha (田寮下)	2	Tai Po Rural Committee
469.	Tin Sum (田心)	2	Sha Tin Rural Committee
470.	Tin Sum Tsuen (田心村)	2	Ha Tsuen Rural Committee
471.	Tin Sum Tsuen (田心村)	1	Pat Heung Rural Committee
472.	Ting Kau (汀九)	1	Tsuen Wan Rural Committee
473.	Ting Kok (汀角)	3	Tai Po Rural Committee
474.	Tit Kim Hang (鐵鉗坑)	1	Sai Kung Rural Committee
475.	To Kwa Peng (土瓜坪)	1	Sai Kung North Rural Committee
476.	To Shek (多石)	1	Sha Tin Rural Committee
477.	To Yuen Tung (桃源洞)	1	Tai Po Rural Committee
478.	To Yuen Wai (桃園圍)	1	Tuen Mun Rural Committee
479.	Tong Fong (塘坊)	1	Ta Kwu Ling District Rural Committee
480.	Tong Fong Tsuen (塘坊村)	1	Ping Shan Rural Committee
481.	Tong Fuk (塘福)	1	South Lantau Rural Committee
482.	Tong Kung Leng (唐公嶺)	1	Sheung Shui District Rural Committee
483.	Tong Sheung Tsuen (塘上村)	1	Tai Po Rural Committee
484.	Tong Tau Po (塘頭埔)	1	Shap Pat Heung Rural Committee
485.	Tong To (塘肚)	1	Sha Tau Kok District Rural Committee
486.	Tsak Yue Wu (鯽魚湖)	1	Sai Kung Rural Committee
487.	Tsam Chuk Wan (斬竹灣)	1	Sai Kung Rural Committee

488.	Tsat Muk Kiu (七木橋)	1	Sha Tau Kok District Rural Committee
489.	Tsat Sing Kong Tsuen (七星崗村)	1	Pat Heung Rural Committee
490.	Tseng Lan Shue (井欄樹)	2	Hang Hau Rural Committee
491.	Tseng Tau (井頭)	1	Sai Kung North Rural Committee
492.	Tseng Tau (井頭)	1	Tai Po Rural Committee
493.	Tseung Kong Wai (祥降圍)	1	Ha Tsuen Rural Committee
494.	Tseung Kwan O (將軍澳)	1	Hang Hau Rural Committee
495.	Tsing Chuen Wai (青磚圍)	1	Tuen Mun Rural Committee
496.	Tsing Fai Tong (清快塘)	1	Tsuen Wan Rural Committee
497.	Tsing Lung Tau (青龍頭)	1	Tsuen Wan Rural Committee
498.	Tsing Lung Tsuen (青龍村)	1	San Tin Rural Committee
499.	Tsiu Hang (蕉坑)	1	Sai Kung Rural Committee
500.	Tsiu Keng (蕉徑)	1	Sheung Shui District Rural Committee
501.	Tso Wo Hang (早禾坑)	1	Sai Kung Rural Committee
502.	Tsok Pok Hang (作壘坑)	1	Sha Tin Rural Committee
503.	Tsuen Wan Sam Tsuen (荃灣三村)	1	Tsuen Wan Rural Committee
504.	Tsung Pak Long (松柏朗)	3	Sheung Shui District Rural Committee
505.	Tsung Yuen Ha (松園下)	1	Ta Kwu Ling District Rural Committee
506.	Tsz Tin Tsuen (紫田村)	1	Tuen Mun Rural Committee
507.	Tsz Tong Tsuen (祠堂村)	2	Fanling District Rural Committee
508.	Tsz Tong Tsuen (祠堂村)	1	Kam Tin Rural Committee
509.	Tuen Mun Kau Hui (屯門舊墟)	1	Tuen Mun Rural Committee
510.	Tuen Mun San Hui (屯門新墟)	2	Tuen Mun Rural Committee
511.	Tuen Mun San Tsuen (屯門新村)	1	Tuen Mun Rural Committee
512.	Tuen Tsz Wai (屯子圍)	1	Tuen Mun Rural Committee

513.	Tui Min Hoi (對面海)	1	Sai Kung Rural Committee
514.	Tung A (東丫)	1	Sai Kung Rural Committee
515.	Tung Chun Wai (東鎮圍)	2	San Tin Rural Committee
516.	Tung Lo Wan (銅鑼灣)	2	Sha Tin Rural Committee
517.	Tung O (東澳)	1	Lamma Island (South) Rural Committee
518.	Tung Sam Kei (東心淇)	1	Sai Kung North Rural Committee
519.	Tung Tau Tsuen (東頭村)	1	Ha Tsuen Rural Committee
520.	Tung Tau Tsuen (東頭村)	2	Shap Pat Heung Rural Committee
522.	Tung Tsz (洞梓)	1	Tai Po Rural Committee
523.	Uk Cheung (屋場)	1	Sai Kung Rural Committee
524.	Uk Tau (屋頭)	1	Sai Kung North Rural Committee
525.	Wa Mei Shan (畫眉山)	1	Fanling District Rural Committee
526.	Wa Shan Tsuen (華山村)	1	Sheung Shui District Rural Committee
527.	Wai Tau Tsuen (圍頭村)	1	Tai Po Rural Committee
528.	Wai Tsai (圍仔)	1	San Tin Rural Committee
529.	Wan Tau Kok (運頭角)	1	Tai Po Rural Committee
529A.	Wang Chau Chung Sam Wai (橫洲忠心圍)	1	Ping Shan Rural Committee
529B.	Wang Chau Fuk Hing Tsuen (橫洲福慶村)	2	Ping Shan Rural Committee
529C.	Wang Chau Lam Uk Tsuen (橫洲林屋村)	1	Ping Shan Rural Committee
529D.	Wang Chau Sai Tau Wai (橫 洲西頭圍)	1	Ping Shan Rural Committee
529E.	Wang Chau Tung Tau Wai (橫洲東頭圍)	2	Ping Shan Rural Committee
529F.	Wang Chau Yeung Uk Tsuen (橫洲楊屋村)	2	Ping Shan Rural Committee
530.	Wang Ling Tau San Tsuen (橫嶺頭新村)	1	Tai Po Rural Committee
531.	Wang Long (橫壟)	1	Lamma Island (North) Rural Committee



532.	Wang Shan Keuk (橫山脚)	1	Sha Tau Kok District Rural Committee
533.	Wang Toi Shan Ha San Uk Tsuen (橫台山下新屋村)	1	Pat Heung Rural Committee
534.	Wang Toi Shan Ho Lik Pui Tsuen (橫台山河瀝背村)	1	Pat Heung Rural Committee
535.	Wang Toi Shan Lo Uk Tsuen (橫台山羅屋村)	1	Pat Heung Rural Committee
536.	Wang Toi Shan Shan Tsuen (橫台山散村)	1	Pat Heung Rural Committee
537.	Wang Toi Shan Wing Ning Lei Tsuen (橫台山永寧里村)	1	Pat Heung Rural Committee
538.	Wing Lung Wai (永隆圍)	1	Kam Tin Rural Committee
539.	Wing Ping Tsuen (永平村)	1	San Tin Rural Committee
540.	Wo Hop Shek (和合石)	3	Fanling District Rural Committee
541.	Wo Keng Shan (禾徑山)	1	Ta Kwu Ling District Rural Committee
542.	Wo Liu (禾寮)	1	Sai Kung Rural Committee
543.	Wo Liu Hang (禾寮坑)	1	Sha Tin Rural Committee
544.	Wo Mei (窩美)	1	Sai Kung Rural Committee
545.	Wo Yi Hop (和宜合)	2	Tsuen Wan Rural Committee
546.	Wong Chuk Shan New Village (黃竹山新村)	1	Sai Kung Rural Committee
547.	Wong Chuk Wan (黃竹灣)	1	Sai Kung Rural Committee
548.	Wong Chuk Yeung (黃竹洋)	1	Sai Kung North Rural Committee
549.	Wong Chuk Yeung (黃竹洋)	1	Sha Tin Rural Committee
550.	Wong Keng Tei (黃麋地)	1	Sai Kung Rural Committee
551.	Wong Keng Tsai (黃麋仔)	1	Sai Kung Rural Committee
552.	Wong Mo Ying (黃毛應)	1	Sai Kung Rural Committee
553.	Wong Nai Tun (黃坭墩)	1	Shap Pat Heung Rural Committee
554.	Wong Uk (王屋)	1	Sha Tin Rural Committee
555.	Wong Uk Tsuen (黃屋村)	2	Shap Pat Heung Rural Committee

556.	Wong Yi Chau (黃宜洲)	1	Sai Kung Rural Committee
557.	Wong Yue Tan (黃魚灘)	1	Tai Po Rural Committee
558.	Wu Kau Tang (烏蛟騰)	2	Sha Tau Kok District Rural Committee
559.	Wu Shek Kok (烏石角)	1	Sha Tau Kok District Rural Committee
560.	Yan Sau Wai (仁壽圍)	2	San Tin Rural Committee
561.	Yau Kam Tau (油柑頭)	2	Tsuen Wan Rural Committee
562.	Yau Yue Wan (魷魚灣)	1	Hang Hau Rural Committee
563.	Yeung Siu Hang (楊小坑)	1	Tuen Mun Rural Committee
564.	Yeung Uk (楊屋)	3	Tsuen Wan Rural Committee
566.	Yeung Uk Tsuen (楊屋村)	1	Shap Pat Heung Rural Committee
567.	Yi O (二澳)	1	Tai O Rural Committee
568.	Yi Pak (二白)	1	Peng Chau Rural Committee
569.	Yi Pei Chun (二陂圳)	1	Tsuen Wan Rural Committee
570.	Yim Tin Kok Tsuen (鹽田角村)	1	Tsing Yi Rural Committee
571.	Yim Tin Tsai (鹽田仔)	1	Sai Kung Rural Committee
572.	Yin Kong (燕崗)	1	Sheung Shui District Rural Committee
573.	Yin Ngam (燕岩)	1	Tai Po Rural Committee
574.	Ying Lung Wai (英龍圍)	1	Shap Pat Heung Rural Committee
575.	Yue Kok (魚角)	1	Tai Po Rural Committee
576.	Yuen Kong San Tsuen (元崗新村)	1	Pat Heung Rural Committee
577.	Yuen Kong Tsuen (元崗村)	2	Pat Heung Rural Committee
578.	Yuen Leng Lei Uk (元嶺李屋)	2	Tai Po Rural Committee
579.	Yuen Leng Yip Uk (元嶺葉屋)	1	Tai Po Rural Committee
579A.	Yuen Long Kau Hui (元朗舊墟)	1	Shap Pat Heung Rural Committee
580.	Yuen Tun (圓墩)	1	Tsuen Wan Rural Committee

581.	Yuen Tun Ha (元墩下)	1	Tai Po Rural Committee
582.	Yung Shu O (榕樹澳)	1	Sai Kung North Rural Committee
583.	Yung Shue Au (榕樹凹)	1	Sha Tau Kok District Rural Committee
584.	Yung Shue Ha (榕樹下)	1	Lamma Island (South) Rural Committee
585.	Yung Shue Long (榕樹塢)	1	Lamma Island (North) Rural Committee
586.	Yung Shue Wan (榕樹灣)	2	Lamma Island (North) Rural Committee

## COMPOSITE INDIGENOUS VILLAGE

<i>Name of community</i>	<i>Number of persons to hold the office of indigenous inhabitant representative</i>	<i>Rural Committee</i>
1. Chok Ko Wan and Pa Tau Kwu (竹篙灣及扒頭鼓)	1	Ma Wan Rural Committee
2. Fa Peng, Tso Wan and Tai Chuen (花坪、草灣及大轉)	1	Ma Wan Rural Committee
3. Fui Yiu Ha and Tse Uk (灰窰下及謝屋)	1	Sha Tin Rural Committee
4. Kai Kuk Shue Ha and Nam Hang Mei (雞谷樹下及南坑尾)	1	Sha Tau Kok District Rural Committee
5. Keung Shan, Upper and Luk Wu (上羗山及鹿湖)	1	Tai O Rural Committee
6. Kwun Yam Shan and Kong Pui (觀音山及崗背)	1	Sha Tin Rural Committee
7. Lam Che and Nim Un (藍輦及稔園)	1	Tung Chung Rural Committee
8. Ma Wan and Wong Nai Uk (馬灣及黃泥屋)	1	Tung Chung Rural Committee
9. Muk Min Tau and Tsiu Hang (木棉頭及蕉坑)	1	Sha Tau Kok District Rural Committee
10. Sha Tin Tau and Lee Uk (沙田頭及李屋)	1	Sha Tin Rural Committee
11. Shek Kwu Lung and Nam Shan (石古壟及南山)	1	Sha Tin Rural Committee
12. Wong Ka Wai and Lung Tseng Tau (黃家圍及龍井頭)	1	Tung Chung Rural Committee

- |   |   |                                      |
|---|---|--------------------------------------|
| 13. Wong Nai Tau, Tai Che and Fa Sham Hang (黃泥頭、大輦及花心坑) | 1 | Sha Tin Rural Committee              |
| 14. Wu Kai Sha and Cheung Kang (烏溪沙及長徑)                 | 1 | Sha Tin Rural Committee              |
| 15. Yim Tso Ha and Pok Tau Ha (鹽灶下及膊頭下)                 | 1 | Sha Tau Kok District Rural Committee |

*[Amended in December 2009]*

## **Safe Conduct of Election-related Activities**

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### **Introduction**

This guidance note serves to provide general advice to candidates and organisers of election related activities, to enable them to conduct such activities safely.

### **Election Meetings**

The Public Order Ordinance, Cap 245 Laws of Hong Kong and Chapter 5 Part II of the ‘Guidelines on Election-related Activities in Respect of the Village Representative Elections’ provide direction on when a meeting, to be held in a public place, is to be notified to the police and the procedures to be followed.

In the interests of safety, and to minimise the potential for confrontation and/or the harassment of candidates, irrespective of whether an election meeting is required to be notified to the police, candidates should be mindful of the sensitivities of their intended audience. In this regard, consideration should be given to making appropriate arrangements with the local management office, if one exists, to facilitate the holding of the meeting. Should a candidate have any concerns over the issue on his safety, consideration should be given to seeking advice from the local police station, prior to the holding of such meeting.

### **Election Forums**

In addition to the provisions of Chapter 6 Part IV of the ‘Guidelines on Election-related Activities in Respect of the Village Representation Elections’, organisers of election forums should be aware of the potential for possible instances of harassment of candidates.

In order to ensure that order, fairness and impartiality is maintained and to avoid any embarrassment, where a forum is to be held in private premises, prior precautions should be made with the owner, occupier, owners’ corporation, building management or the mutual aid committee concerned, to ensure the safety of all participants and the orderly proceeding of the forum. Where necessary, security guards should be employed at the forum venue.

### **Electioneering at Living or Working Places**

Chapter 8 of the 'Guidelines on Election-related Activities in respect of the Village Representative Elections' relates to the conduct of electioneering activities.

If a decision is made by the owners or owners' corporations to allow electioneering by candidates, the decision can also set out the hours of access and other conditions. These conditions can also minimise the potential for confrontation and the harassment of candidates.

Related to this, candidates should be sensitive to the feelings of tenants, occupiers and owners in planning and carrying out electioneering activities. By doing so, they will ensure that such can be carried out in a safe and orderly manner.

In addition to obtaining the formal approval or consent of the owners having control over the common parts of the building or the owners' corporation, in accordance with paragraph 8.4f of the Guidelines, it is advisable to notify the management office the time at which the electioneering activities are proposed to be carried out.

### **General**

Should any safety issues be of particular concern, consideration should be given to seeking advice from the local police station, prior to the conducting of the activity.

*[Added in October 2004]*

**Conduct of Electioneering Activities and Election Meetings in Premises  
under the Management of the Housing Department and  
the Hong Kong Housing Society**

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Candidates must obtain **prior approval** from the Housing Manager before conducting any electioneering activities or election meetings inside a housing estate, in addition to compliance with regulations and conditions imposed by other relevant authorities. An **application** for approval **should be made at least 2 clear working days (excluding Saturday, Sunday or public holiday) before the date of the meeting**, and the applicant will be notified as soon as practicable after a decision is arrived at. To avoid conflict that may arise from allowing 2 or more candidates and their supporters to hold election meetings in a housing estate at the same venue and time, the Housing Department and the Hong Kong Housing Society will process the applications as soon as practicable and will adopt the following arrangements:

- (a) if only one application for holding an election meeting at a particular venue and at a particular time is received, that application will be approved;
- (b) if 2 or more applications for the same venue and the same period are received by the Housing Department or the Hong Kong Housing Society 2 clear working days before the activity takes place, the applicants will be advised to negotiate among themselves to reach a compromise on condition that no canvassing from 2 or more groups will be held at the same place and at the same time to avoid any dispute or clash. If no compromise can be reached, allocation of venue or time will be made by the drawing of lots at a time to be decided by the relevant estate Housing Manager;
- (c) for the purpose of (a) and (b) above, an application for several periods will be dealt with as separate applications for each of the periods; and
- (d) the Housing Manager should send a copy of the letter of approval to the respective RO for record and for public inspection.



**Administrative Guidelines and Licensing Conditions  
for the issue of Public Fund-raising Permits  
for Non-Charitable Purposes**

Applications for permission under section 4(17) of the Summary Offences Ordinance (Cap 228) to raise funds by collection of money or sale of badges, tokens or similar articles or exchange for donations in a public place should, where the funds are to be used for a charitable purpose, be referred to the Director of Social Welfare. Where the funds are to be used for any other purpose, such applications should be referred to the Secretary for Home Affairs.

A. Administrative Guidelines for Consideration

When considering an application for a public fund-raising permit under section 4(17) of the Summary Offences Ordinance, the Secretary for Home Affairs will normally wish to be satisfied that : -

- (i) the organisation or group on behalf of which the permit is sought, and the organisation or group to benefit from the collection if different, are, where applicable, properly registered under the laws of Hong Kong;
- (ii) if the applicant is an individual, he should be aged 21 or above, and should either be a permanent resident of Hong Kong within the meaning of the Immigration Ordinance, or have been ordinarily resident in Hong Kong for a minimum of seven years;
- (iii) the funds collected will be used for purposes which would contribute directly and indirectly to the development of representative government in Hong Kong;
- (iv) the fund-raising activity will not cause public order and public safety problems, and will not cause nuisance or harassment to the general public;

- (v) the fund-raising activity should not be held on a morning which is a “flag day” approved by the Director of Social Welfare unless it is to be held in a confined public place;
- (vi) the fund-raising activity should not be held at the same time and in the same venue or its vicinity as a charitable fund-raising activity;
- (vii) there will be no more than one non-charitable fund-raising activity in the same venue or its vicinity on the same day except where the activities are organised by the same applicant;
- (viii) there will be a fair distribution of venues, dates and frequency of fund-raising among all potential applicants; and
- (ix) the permittee who had breached the conditions stipulated in the permit last granted would not be considered for a new permit unless explanations/justifications have been provided to the satisfaction of the Secretary for Home Affairs. *[Added in October 2004]*

Each application will be considered on its own merits having regard to the above administrative guidelines.

#### B. Licensing Conditions

The following conditions will normally be imposed if an application is approved : -

- (i) permission must have been obtained or is likely to be forthcoming from the relevant authorities, including the authority responsible for the management of the venue(s), for the fund-raising activity to be held;
- (ii) the funds collected will not be used to finance any profit-making ventures or activities;

- (iii) the funds collected will be used only in Hong Kong;
- (iv) no person will benefit improperly from the collection;
- (v) the permission given for the fund-raising activity is only valid for the details specified in the permit. If there are any changes to such details, the approval of the Secretary for Home Affairs will be required;
- (vi) the permission given for the fund-raising activity will become null and void if the funds collected are used for purposes other than those specified in the permit;
- (vii) within 90 days after the conclusion of the fund-raising activity, the permittee will cause the money received from the public, less any reasonable expenses incurred, to be applied for the purpose for which the permission is given;  
*[Amended in October 2004]*
- (viii) if after applying the funds collected as described in (vii) above, there is still a balance left, the permittee will donate the unspent funds to a charitable institution which is exempt from tax under section 88 of the Inland Revenue Ordinance (Cap 112) for charitable purpose;
- (ix) the funds collected will be audited by a qualified accountant arranged by the permittee. A copy of the audited accounts will be submitted to the Secretary for Home Affairs within 90 days after the conclusion of the fund-raising activity. The audited accounts will also be made available to members of the public for inspection upon demand;  
*[Amended in October 2004]*
- (x) all donations are to be purely voluntary, and that the activity shall not create public order problems or cause nuisance, including excessive noise, or harassment to the general public, and that the manner in which the activity is

conducted should not be such as to be likely to produce a reaction generally against public fund-raising activities;

- (xi) during the course of the fund-raising activity, the name of the organisation and a copy of the permit/approval letter should be prominently displayed. Every participant of the activity should also wear a clear and legible badge identifying the name of the participant and the name of the organisation; and
- (xii) children under the age of 14 must not be allowed to take part in the activity. Participation by young persons between the age of 14 - 18 must be entirely voluntary and the prior written consent of parents must be obtained.

The Secretary for Home Affairs may, if a particular applications so warrants, impose additional conditions such as those required for the protection of the participants in the fund-raising event, for the preservation of law and order, for crowd control, or for public safety purposes. In specific circumstances, he may waive certain conditions where it appears reasonable for him to do so.

November 2003

*[Amended in October 2004]*

**Application for a Permit under S 4(17)  
of Summary Offences Ordinance (Cap 228)  
for Non-Charitable Purposes**

This application should reach the Secretary for Home Affairs at 31/F, Southern Centre, 130 Hennessy Road at least **FOUR WEEKS** before the date of the activity. This will enable the applicant to be notified of the result of his application about seven days before the event. For enquiries, please call 2835 1495.

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1. Name of applicant : \* Mr/Mrs/Miss/Ms \_\_\_\_\_

Name in Chinese (if any) : \_\_\_\_\_

2. Hong Kong Identity Card Number : \_\_\_\_\_

(Please enclose a photocopy of your Hong Kong Identity Card)

3. Address : \_\_\_\_\_

4. Contact Telephone No. : \_\_\_\_\_ Fax No. : \_\_\_\_\_

5. If this application is made on behalf of an organisation, please complete the following details : -

i) Name of organisation : \_\_\_\_\_

ii) Position of applicant in organisation : \_\_\_\_\_

iii) Details of key officers in organisation :

<u>Post</u>	<u>Name</u>	<u>Address</u>
<u>President/Chairman</u>	_____	_____
<u>Secretary</u>	_____	_____
<u>Treasurer/Accountant</u>	_____	_____

iv) Date the organisation was formed : \_\_\_\_\_

v) Type of organisation : Society registered/exempt under the Societies Ordinance, or  
Company incorporated in Hong Kong, or  
Others (Please give details)

\_\_\_\_\_  
\_\_\_\_\_

(Please enclose a copy of the certificate of registration/exemption of your organisation and also a copy of the memorandum and articles of association or the constitution or rules of your organisation whichever is applicable. If your organisation is a company incorporated in Hong Kong, a copy each of a Certificate of Incorporation and Certificate of Existence issued by the Companies Registry should also be produced.)

6. If the money raised is intended to benefit another organisation, please complete the following details : -

i) Name of organisation : \_\_\_\_\_

ii) Relationship between applicant and that organisation : \_\_\_\_\_

iii) Details of key officers in that organisation :

<u>Post</u>	<u>Name</u>	<u>Address</u>
<u>President/Chairman</u>	_____	_____
<u>Secretary</u>	_____	_____
<u>Treasurer/Accountant</u>	_____	_____

iv) Date the organisation was formed : \_\_\_\_\_

v) Type of organisation : Society registered/exempt under the Societies Ordinance, or  
Company incorporated in Hong Kong, or  
Others (Please give details)

(Please enclose a copy of the certificate of registration/exemption of the organisation and also a copy of the memorandum and articles of association or the constitution or rules of the organisation whichever is applicable. If the organisation is a company incorporated in Hong Kong, a copy each of a Certificate of Incorporation and Certificate of Existence issued by the Companies Registry should also be produced.)

vi) Has the organisation given consent to the activity being organised by you ? \* Yes / No

7. If the applicant is making this application as an individual, please complete the following details : -

i) Date and place of birth : \_\_\_\_\_

ii) Length of residence in Hong Kong : \_\_\_\_\_

iii) Are you a permanent resident of Hong Kong ? \* Yes / No

8. ✦ Intended use of money to be collected : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. ✦ Format of the activity : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. ✦ Method for money collection : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. ✦ Date and time of the activity listed in priority : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Note : To ensure a fair distribution of venues, dates and frequency of fund-raising among all potential applicants, there could be a restriction on the number of days approved, depending on prevailing circumstances.)

12. ✦ Venue and address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has permission to use venue been secured ? \* Yes / No / Under application / Not applicable

(If the venues are in open public places, please give exact locations and enclose layout plan. Please also indicate where furniture (eg table) will be placed, if appropriate.)

✦ If approval is given to this application, the permit issued will specify the details given in these items. It will therefore be to the applicant's own advantage to plan the activity carefully, so as to avoid the need to seek fresh approval later on as a result of any changes to the above details.

13. Details of previous S4(17) application(s) to the Secretary for Home Affairs by the applicant, or the organisations named in 5(i) and 6(i) above, or any of the persons named in 5(iii) and 6(iii) above :

<u>Name of Applicant</u>	<u>Date of Application</u>	<u>Approved or Rejected</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

14. State here any additional information which the applicant wishes to provide in support of this application (eg reasons for requesting that the administrative guidelines or licensing conditions for the issue of permit be waived in whole or in part.)

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I declare that to the best of my knowledge and belief, the information supplied by me in this form is true and correct.

Signed : \_\_\_\_\_  
(Applicant)

(Chop of organisation, if applicable)      Date : \_\_\_\_\_

\* Delete where applicable

(If there is not enough space in this form for the filling in of the required information, the applicant may provide details on a separate sheet of paper and attach it to the form.)

July 1997



## **Statement of Purpose**

### Purpose of Collection

The personal data provided by means of this form will be used by Home Affairs Department for the purpose of :

“to exercise functions on fund-raising activities for non-charitable purposes”

### Classes of Transferees

2. The personal data you provided by means of this form may be disclosed to other Government bureaux, departments and relevant persons and bodies for the purposes mentioned in paragraph 1 above.

### Access to personal data

3. You have a right of access and correction with respect to personal data as provided for in sections 18 and 22 and principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of your personal data provided by this form.

### Enquiries

4. Enquiries concerning the personal data collected by means of this form, including the making of access and corrections, should be addressed to :

Administrative Officer  
Home Affairs Department  
Tel. No. : 2835 1495

Fair and Equal Treatment of Candidates by the Print Media

1. Fairness and equality will in each case be viewed by the Electoral Affairs Commission with reference to the surrounding circumstances.
2. Practical problems that may be experienced by publishers like limitation of column space and staff resources, and situations such as some candidates who have extensive arguments and opinions on issues of public relevance and those who have none, candidates who have made newsworthy statements or speeches as opposed to those who have not uttered a word, and the difference in status and standing of candidates as public figures, etc, are examples of circumstances against which the criteria of fairness and equality are to be judged.
3. What is important is that practical problems, in general terms without specifics, should not be allowed to be used as pretexts for not giving fair and equal treatment and coverage to all candidates competing in the same Village. Merely saying that practical problems gave rise to the selective reporting will be viewed as a lame excuse, but if the other candidates had been approached and they refused to offer any interview, and this fact is made known in the same article, there can hardly be any suspicion or complaint that the guidelines have been breached.
4. Equal treatment and coverage are not necessarily equal space and equal number of words written on each candidate of the same Village. It is an idea that has to be examined in all the circumstances of each individual case. Where a candidate says more on a topic and another candidate says less, that can be truthfully and faithfully reported, and no reasonable-minded person will say that that is unequal reporting. Fairness and equality here are in the sense of **equal opportunity** being given to all candidates competing in the same Village alike.
5. If there is fair and equal treatment of all candidates competing in the same Village in a publication, its editorial line or the personal opinions of the writer on each of the candidates can be freely expressed, insofar as they are fair comments and based on true facts. Any newspaper is at full liberty to express its support for or disapproval of a candidate. The guidelines do not seek to impose any shackle on the expression of such ideas.

**Application Procedure for the Approval of Float Design**

1. All applications in respect of the design of any float to be used in a procession or parade must be made in writing, with the following particulars clearly stated:
  - the name of the applicant
  - the address of the applicant
  - contact telephone number and fax number
  - the make, model and registration mark (or vehicle identity number in the case of a brand new vehicle) of the vehicle to be used as float
  
2. The application should be accompanied by three copies of a drawing, certified by qualified electrical or mechanical engineers, in minimum A3 size, showing the following details:
  - the float and vehicle outline, side, plan, front and rear view, with all major dimensions (both proposed and original) shown
  - the means of entry/exit to and from the driver's compartment
  - location of mirrors which will enable the driver to view both sides of the float
  - location of exhaust outlets from any internal combustion engines
  - location of any auxiliary power equipment installed
  - means of communication with the passengers on the float
  - location of passengers and support for passengers (seats, handles, etc.) on the float

Applicant's attention is drawn to regulation 53(2) of the Road Traffic (Traffic Control) Regulations on requirements for carriage of passengers: no driver of a vehicle on a road shall permit a passenger to travel in any vehicle unless seated in a properly constructed seat secured to the bodywork of the vehicle except:

- (a) where the vehicle is a public service vehicle licensed to carry standing passengers; or
- (b) where the vehicle is exempted under regulation 53A from this subregulation.

- detailed artwork is not required

*[Amended in October 2006]*

3. All applications must be made at least one month in advance of the

date of the event to:

Engineer (Motor Vehicles/Planning)  
Vehicle Examination Division  
Transport Department  
Room 3402 Immigration Tower  
7 Gloucester Road  
Hong Kong  
(Contact telephone : 2829 5550  
Fax : 2802 7533)

4. If the application is approved in principle (subject to the vehicle inspection results), the applicant will be so advised within 14 days upon the receipt of the application, and also informed of further details of the vehicle inspection.
5. In case the design is considered unacceptable, the applicant should resubmit revised drawings within one week's time upon notice.

**Canvassing Activities which are Forbidden within  
a No Canvassing Zone**

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- (Note :
1. This list is by no means an exhaustive list of the canvassing activities which are prohibited within a no canvassing zone. It only serves to illustrate some of the common forms of canvassing activities.
  
  2. Door-to-door canvassing and for the purpose of such canvassing, the display of propaganda material, eg any badge, emblem, clothing or head-dress which may promote or prejudice the election of a candidate or candidates at the election, or makes direct reference to a body any member of which is standing as a candidate in the election or to a political body will be allowed on storeys above or below street level in a building within a no canvassing zone other than a building in which there is a polling station provided that permission has been obtained for entry to the building for canvassing vote, obstruction is not posed to electors and no amplifying system or device is used.) *[Amended in October 2004]*
1. Unauthorised static display of election advertisements on walls (including the outer walls of the polling station), windows, railings, fences etc.
  2. Exhibition of portable displays on vehicles (whether in motion or parked within the area), or held or carried by persons.
  3. Except for the purpose of door-to-door canvassing referred to in Note 2 above, displaying, without reasonable excuse, propaganda material eg any badge, emblem, clothing or headwear which - *[Amended in October 2004]*
    - (i) may promote or prejudice the election of a candidate or candidates at the election; or
    - (ii) makes direct reference to a body any member of which is standing as a candidate in the election or to a political body.
  4. Distribution of election advertisements.

5. Canvassing for votes by:-
  - (i) talking to electors;
  - (ii) shouting slogans or the name or number of a candidate or any appeal message;
  - (iii) singing or chanting; or
  - (iv) making signals or signs to electors.
6. Broadcast of audio or video tape to appeal to or induce electors to vote.
7. Using loud-hailers or loudspeakers (whether carried by a person or mounted on a vehicle or installed in any other manner) to broadcast any message which appeals to or induce electors to vote.
8. Shaking hands with electors.

## **Personal Data Privacy: Guidance on Electioneering Activities**

1. This guidance note serves as a general reference on compliance with the requirements of the Personal Data (Privacy) Ordinance ("the PD(P)O"), in relation to electioneering activities that may involve the collection and use of personal data of an individual. Very often, candidates and/or their election agents make lobbying approaches by telephone to prospective voters with the intention of influencing their votes. Candidates may also choose to lobby potential voters by various forms of mailings such as fax messages, SMS or E-mails. In some cases, the individuals have no previous dealings with the caller and/or the candidate and they are concerned that the candidate might have obtained their personal data from sources other than the voter register.

2. The act of canvassing support for votes is not in contravention with the PD(P)O provided that personal data are obtained by means that are lawful and fair in the circumstances, the use of these data is directly related to the purpose for which the data are collected and the security of these data is maintained. Of direct relevance are the data protection principles 1, 3 and 4 ("DPP1", "DPP3" and "DPP4") in Schedule 1 to the PD(P)O:

- (a) **DPP1(2)** requires that personal data shall be collected by means that are lawful and fair;
- (b) **DPP3** requires that personal data shall not, without the prescribed consent of the individual, be used for any purposes other than the purpose for which the data were to be used at the time of collection of the data or a directly related purpose; and
- (c) **DPP4** requires that data user shall take all practicable steps to ensure that personal data are protected from accidental or unauthorised access.

*[Amended in October 2006]*

3. Candidates, who use personal data to facilitate electioneering, should be mindful of the provisions stated in the PD(P)O.

4. Candidates should assume direct responsibility for briefing and supervising members of their campaign staff to ensure their compliance with the requirements of the PD(P)O.

5. Candidates, who solicit personal data directly from an individual for electioneering, should ensure that the individual is informed about the potential use of the data for such a purpose.

6. Candidates should not collect personal data for electioneering by deceptive means or by mis-representing the purpose of the collection. To avoid misunderstanding, candidates should disclose the source of the data when being asked. *[Amended in October 2006]*

7. With respect to the use of personal data gathered from the published register of voters, due care should be taken to ensure that they are used only for purposes relating to an election as prescribed by relevant election legislations.

8. Candidates should not use personal data from sources other than the voter register or published data sources for electioneering unless the candidates have obtained prior express consent of the individual for such a purpose.

9. With respect to the use of personal data gathered by a third party, eg a trade union or professional body as a means of accessing members of those bodies for lobbying purposes, the proper course of action would be for these bodies to determine whether this is a permitted purpose for which the personal data have been collected, and mailings should preferably be handled by these bodies. As a matter of good practice, prior notification to member of such use of their data is recommended.

10. As a matter of good practice, candidates, who use any form of the mailings through professional bodies to lobby support, should allow those individuals to whom such mailings are directed to decline receipt of any subsequent mailings by providing for the exclusion of the individual from any future mailings.

11. Candidates or their election agents should ensure the electors list that they carry with them when conducting electioneering activities, which contains personal data of electors, are handled securely to prevent accidental or unauthorised access by unintended parties. *[Added in October 2006]*



**Items of expenses which may be counted towards election expenses**

(Note : This list is by no means an exhaustive list of items of expenditure which may be counted as election expenses. It only serves to illustrate the common items of such expenses.)

1. Fees and allowances, including travelling expenses, paid to agents and assistants engaged in relation to one's election activities.
2. Costs incurred for meals and drinks for agents and assistants before and on polling day.
3. Costs incurred for design and production of election advertisements such as :
  - (i) banners
  - (ii) signboards
  - (iii) placards
  - (iv) posters
  - (v) handbills
  - (vi) publicity pamphlets
  - (vii) video and audio tapes
  - (viii) electronic messages
  - (ix) various forms of literature or publicity material for the promotion of the candidate.
4. Costs incurred for display and removal of election advertisements including labour charges. If the election advertisements have not been removed by the deadline specified by the Home Affairs Department/Returning Officer, the removal costs for your election advertisements charged by Government Departments should also be included. *[Amended in October 2004]*
5. Costs incurred by the relevant authorities for removal of election advertisements displayed without authorization.
6. Costs incurred for renting space used in connection with the election campaign.
7. Cost of stationery used in connection with the election campaign.
8. Operation costs in connection with the election campaign, eg photocopying, hire of telephone line and fax line.

9. Postage for mailing of publicity materials.
10. Costs incurred for the hire of transport in connection with the election.
11. Costs incurred for publicity by vehicles. *[Amended in October 2006]*
12. Costs of advertisements in newspapers, taxi or other public transport.
13. Costs incurred for election meetings, including venue charges.
14. Costs of T-shirts, armbands, caps, etc. and other identification devices for election agents and assistants.
15. Costs incurred by a candidate who is a serving member of the Legislative Council, a District Council or the Heung Yee Kuk; or a serving chairman, vice-chairman or member of the Executive Committee of a Rural Committee; or a serving village representative in the publication of performance reports during the election period (eg from the commencement of the nomination period to the close of poll) of the Village Representative election and the publication of any performance reports for promoting the candidature any time on or before the date of election. *[Amended in October 2006]*
16. Costs incurred by the political body or organisation of the candidate in promoting his election. [Costs of meeting where the platform of the political body or organisation is publicised without specific reference to the candidate will not be counted as election expenses.]
17. Costs for obtaining legal advice incurred in respect of the management of an election (eg where a candidate asks his lawyer to vet an election publicity pamphlet to make sure that statements contained in it do not amount to libel). [Costs for obtaining legal advice on the general application of the election law including what is “election expenses” and “donations” will not be an election expense.]
- 17a Interest incurred from a loan to finance the campaigning activities of a candidate. [In case of an interest-free loan, the interest waived should be declared as a donation and correspondingly as an election expense. A reasonable amount should be assessed by reference to the market interest rate.] *[Added in October 2004]*
18. Subsidy of activities organised for promoting one’s candidature is a

form of donation which is counted as election expense.

19. Although some people may not charge the candidate for the goods supplied or work, labour and services rendered, a reasonable sum estimated for such charges, over any allowance or discount usually given to customers, is an election expense (which is correspondingly a donation made by these people).
20. Goods given incidental to the provision of voluntary service.
21. Charities undertaken for the purpose of promoting one's candidature.
22. Costs for any negative publicity launched against one's opponent.

# **Support Clean Elections**

## **A Handbook by the ICAC**

**ICAC Election Enquiry Hotline: 2920 7878**

**ICAC Report Hotline: 25 266 366**

***ICAC Corporate Website: [www.icac.org.hk](http://www.icac.org.hk)***

## **INTRODUCTION**

The Elections (Corrupt and Illegal Conduct) Ordinance (ECICO) (Cap 554), which was enacted with an aim to upholding fairness and preventing corrupt and illegal conduct in elections, applies to all public elections including the Village Representative Elections. The Independent Commission Against Corruption (ICAC) is responsible for enforcing the ECICO. It has produced this Handbook, which comprises a gist of the ECICO and a “Dos and Don’ts” checklist. Apart from helping candidates, their election agents and helpers to better understand the ECICO, this Handbook also serves to alert them to the common pitfalls in elections so that appropriate measures can be taken to avoid inadvertent infringement of the legislation. Candidates, election agents and helpers, however, should note that this Handbook is intended to be a general reference only. They should refer to the original legislation and consult their legal advisers in case of doubt.

*\* Throughout this Handbook, the male pronoun is used to cover references to both the male and female. No gender preference is intended.*

**GIST OF THE ELECTIONS (CORRUPT AND ILLEGAL CONDUCT) ORDINANCE**

The Elections (Corrupt and Illegal Conduct) Ordinance (ECICO) (Cap 554) applies to the Village Representative Elections ( including by-elections ) and other elections as specified in the Ordinance. The Ordinance governs all conduct concerning an election, whether it is engaged in before, during or after the election period, and whether it is engaged in within Hong Kong or elsewhere.

The following is a gist of major provisions of the ECICO which relates to the management of electioneering activities for the reference of candidates, their election agents and helpers.

To facilitate easy reference, “●” denotes an offence or elaboration of provisions under the ECICO and interpretation of terms is given under “□” in the following gist.

**(1) NOMINATION OF CANDIDATES**

**Bribery in Relation to Standing or Not Standing as Candidate (Sections 2, 7)**

- It is an offence if a person corruptly offers an advantage to another person as an inducement to or a reward for:
  - (1) that person's standing, not standing, or if that person has been nominated as a candidate, withdrawal of his candidature, or his not using the best endeavours to promote his election; or
  - (2) that person to get and try to get a third person to stand, not to stand, or if that third person has been nominated as a candidate, to withdraw his candidature, or not to use that third person's best endeavours to promote his election.
  
- It is also an offence if a person authorises another person, either expressly or by implication, to offer an advantage for getting any person to engage in the conduct stated in (1) or (2) above.
  
- It is also an offence if a person corruptly solicits or accepts an advantage for the conduct stated in (1) or (2) above.
  
- "Candidate":
  - (1) means a person who stands nominated as a candidate at an election; and
  - (2) also means a person who, at any time before the close of nominations for an election, has publicly declared an intention to stand as a candidate at the election.
  
- "Advantage" includes (but is not limited to) any valuable consideration, gift, loan, office, employment, contract, favour or service (other than voluntary service or the provision of entertainment). However, it does not include an election donation if particulars of the donation are given in an election return that has been lodged with the relevant Returning Officer.
  
- "Voluntary service" means any service provided free of charge to or in respect of any candidate(s) at an election by a natural person, voluntarily and personally, in the person's own time for the purpose of promoting the election of the candidate(s) or prejudicing the election of another candidate or other candidate(s).

**Using or Threatening to Use Force or Duress in Relation to Standing or Not Standing as Candidate (Section 8)**

- It is an offence if a person uses or threatens to use force or duress against another person to induce him:
  - (1) to stand or not to stand as a candidate, or to withdraw his candidature; or

- (2) to get a third person to stand or not to stand as a candidate, or to withdraw the third person's candidature.
- It is an offence if a person uses or threatens to use force or duress against another person because the other person or the third person stood or did not stand as a candidate, or withdrew his candidature after having been nominated as a candidate.
  - It is also an offence if a person authorises another person, either expressly or by implication, to engage in the above conduct.

**Deceptive Behaviour for Inducing Others to Run or Not to Run at an Election (Section 9)**

- It is an offence if a person, by deception, induces another person:
  - (1) to stand or not to stand as a candidate, or to withdraw his candidature; or
  - (2) to get a third person to stand or not to stand as a candidate, or to withdraw the third person's candidature.
- It is also an offence if a person authorises another person, either expressly or by implication, to engage in the above conduct.

**Defacing or Destroying Nomination Papers (Section 10)**

- It is an offence if a person defaces or destroys a completed or partly completed nomination paper in order to prevent or obstruct another person from standing for election.

**(2) ELECTIONEERING**

**Publishing False Statement that a Person Is or Is Not a Candidate (Section 25)**

- It is an offence if a person knowingly publishes a false statement that:
  - (1) he or another person is a candidate at an election; or
  - (2) another person who has been nominated as a candidate is no longer a candidate at an election.
- It is an offence if a candidate knowingly publishes a false statement that he is no longer a candidate at an election.

**Publishing False or Misleading Statements about a Candidate (Section 26)**

- It is an offence if a candidate or a person publishes a materially false or misleading statement of fact about a particular candidate or particular candidates for the purpose of promoting or prejudicing the election of the candidate or candidates at an election.



- Statements about a candidate or candidates include (but are not limited to) statements concerning the character, qualifications or previous conduct of the candidate or candidates.

**Election Advertisement with False Claim of Support (Sections 2, 27)**

- It is an offence if a candidate or a person publishes or authorises the publication of an election advertisement which includes the name or logo of or associated with a person or an organisation, or a name or logo that is substantially similar to that of a person or an organisation; or a pictorial representation of a person, in such a way that implies or is likely to cause electors to believe that the candidate or candidates have the support of the person or organisation unless prior written consent from that person or organisation has been obtained.
  - It is still an offence even if such an election advertisement contains a statement to claim that such inclusion does not imply support by the person or organisation concerned.
  - It is an offence if a person purports to give written consent to the inclusion in an election advertisement of the name or logo of an organisation without having been approved by the governing body of the organisation or by a resolution of the members of the organisation passed at a general meeting.
  - It is also an offence if a person, for the purpose of promoting or prejudicing the election of a candidate or candidates, gives information to the candidate or candidates that the person knows or ought to know is materially false or misleading.
- “Support” includes support for the policies or activities of the candidate.
  - “Election advertisement” means:
    - (1) a publicly exhibited notice; or
    - (2) a notice delivered by hand or electronic transmission; or
    - (3) a public announcement made by radio or television or by video or cinematographic film; or
    - (4) any other form of publication,published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election.

**Publishing Election Advertisements that Do Not Meet Certain Requirements (Sections 2, 33, 34)**

- It is an offence if a person publishes a printed election advertisement, with exception to those printed in a registered local newspaper, which fails to show, in English or Chinese, the name and address of the printer, the date of printing and the number of copies printed.

- The above conduct is, however, not an offence if the publisher, or a person authorised by him, has lodged with the relevant Returning Officer a statutory declaration on the required printing details not later than 7 days after the publication of the advertisement.
- A person must, not later than 7 days\* after publishing a printed election advertisement, furnish 2 copies of the advertisement to the relevant Returning Officer.
  - \* *It should, however, be noted that under the Electoral Procedure (Village Representative Election) Regulation, a candidate must submit 2 copies of his election advertisement to the relevant Returning Officer before he displays, distributes or otherwise uses the election advertisement. He should also comply with all other statutory requirements governing election advertisements in an election and relevant guidelines issued by the Electoral Affairs Commission.*
- A performance report published by an incumbent candidate during election period (the period beginning with the nomination day and ending with the polling day of an election), is taken as an election advertisement.
- An “incumbent candidate” means the person being a serving member of the Legislative Council, a District Council, or the Heung Yee Kuk; or a serving Chairman, Vice-chairman or member of the Executive Committee of a Rural Committee; or a serving Village Representative, etc. who is seeking re-election to the same office or body or election to another office or body to which the ECICO applies. .

### **(3) VOTING**

#### **Bribing Electors and Others (Section 11)**

- It is an offence if a person, without reasonable excuse, offers an advantage to another person as an inducement to or a reward for that person or for him to get or try to get a third person :
  - (1) not to vote, or for not having voted at an election; or
  - (2) to vote or not to vote, or for having or not having voted for a particular candidate or particular candidates at an election.
- It is also an offence if a person authorises another person, either expressly or by implication, to engage in the above-stated conduct.
- It is also an offence if a person, without reasonable excuse, solicits or accepts an advantage in return for engaging in or getting or trying to get another person to engage in the conduct stated in (1) or (2) above.

**Refreshments or Entertainment for Electors and Others (Section 12)**

- It is an offence if a person provides, or meets all or part of the cost of providing any food, drink or entertainment for another person as an inducement to or a reward for that person or a third person:
  - (1) not to vote, or for not having voted at an election; or
  - (2) to vote or not to vote, or for having or not having voted for a particular candidate or particular candidates at an election.
- It is an offence if a person solicits, accepts or takes any food, drink or entertainment as an inducement to or a reward for the conduct stated in (1) or (2) above.
- It is also an offence if a person authorises another person, either expressly or by implication, to engage in the above conduct.
- However, the serving of non-alcoholic drinks at an election meeting is not an offence.
- An “election meeting” is any meeting held to promote or prejudice the election of a particular candidate or particular candidates.

**Using or Threatening to Use Force or Duress against Electors (Section 13)**

- It is an offence if a person uses or threatens to use force or duress against another person to induce that person or to get him to induce a third person to vote or not to vote; or to vote or not to vote for a particular candidate or particular candidates, at an election.
- It is an offence if a person uses or threatens to use force or duress against another person because the other person voted or refrained from voting; or voted or refrained from voting for a particular candidate or particular candidates, at an election.
- It is also an offence if a person authorises another person, either expressly or by implication, to engage in the above conduct.

**Deceptive Behaviour in Relation to Electors (Section 14)**

- It is an offence if a person, by deception, induces another person or gets him to induce a third person not to vote; or to vote or not to vote for a particular candidate or particular candidates, at an election.
- It is an offence if a person, by deception, obstructs or prevents another person or gets him to obstruct or prevent a third person from voting at an election.
- It is also an offence if a person authorises another person, either expressly or

by implication, to engage in the above conduct.

**Impersonating Another at Election (Section 15)**

- It is an offence if a person applies for a ballot paper in another person's name or, having voted at an election, applies at the same election for a ballot paper in his own name, except as expressly permitted by an electoral law.

**Other Offences with Respect to Voting (Section 16)**

- It is an offence if a person:
  - (1) votes at an election knowing that he is not entitled to vote at that election; or
  - (2) votes at an election after having knowingly or recklessly given materially false or misleading information to an electoral officer, or knowingly omitted to give material information to an electoral officer; or
  - (3) votes more than once in the same Resident Representative Election or Indigenous Inhabitant Representative Election, or votes in more than one Resident Representative Election or Indigenous Inhabitant Representative Election.
- It is an offence if a person invites or induces another person:
  - (1) to vote at an election knowing that the other person is not entitled to do so; or
  - (2) to vote at an election knowing that the other person has given materially false or misleading information to an electoral officer, or has omitted to give material information to an electoral officer; or
  - (3) to vote more than once in the same Resident Representative Election or Indigenous Inhabitant Representative Election, or to vote in more than one Resident Representative Election or Indigenous Inhabitant Representative Election.

**Destroying or Defacing Ballot Papers (Section 17)**

- It is an offence if a person, without lawful authority, supplies a ballot paper to another person, or destroys or interferes with a ballot box or ballot paper in use at an election or a ballot paper that has been used at an election.
- It is an offence if a person, with intent to deceive, puts into a ballot box a paper other than a ballot paper that he is lawfully authorised to put into the box or removes a ballot paper from a polling station.

**(4) ELECTION EXPENSES AND ELECTION DONATIONS**

**Election Expenses (Sections 2, 24)**

- “Election expenses” means expenses incurred or to be incurred before, during or after the election period, by or on behalf of a candidate for the purpose of :
  - (1) promoting the election of the candidate; or
  - (2) prejudicing the election of another candidate,and includes the value of election donations consisting of goods and services used for that purpose.
- A candidate commits an offence if the aggregate amount of the election expenses, whether incurred by or on behalf of the candidate, exceeds the prescribed maximum amount of election expenses.
- The prescribed limits of election expenses for the Village Representative Elections and by-elections are as follows:
  - (1) for a village with registered electors not more than 1,000: HK\$18,000;  
or
  - (2) for a village with registered electors more than 1,000: HK\$28,000.

**Use of Election Expenses (Section 2, 23)**

- It is an offence if a person, other than a candidate or a candidate’s election expense agent, incurs any election expenses.
- An “election expense agent” means a person authorised in writing by a candidate to incur election expenses on behalf of the candidate. The maximum amount of election expenses to be incurred by him has to be specified in the authorisation, a copy of which has to be served on the relevant Returning Officer in order to effect his authorisation.
- It is an offence if a candidate does not include election expenses incurred by the candidate or the candidate’s election expense agent(s) in the candidate’s election return.
- It is an offence for an election expense agent to incur election expenses that exceed the amount specified in his authorisation.

**Use and Disposal of Election Donations (Sections 2, 18, 19)**

- “Election donation” means:
  - (1) any money given to a candidate for the purpose of meeting the election expenses of the candidate; or
  - (2) any goods (including any goods given incidental to the provision of voluntary service) or service (excluding voluntary service) provided to a candidate for the purpose of promoting the election of the candidate or prejudicing the election of another candidate.

- It is an offence if a candidate or other person uses election donations for a purpose other than:
  - (1) meeting the candidate's election expenses; or
  - (2) promoting the election of the candidate or prejudicing the election of another candidate.
- It is an offence if a candidate, on receiving an election donation of more than \$1,000 in value, does not issue a receipt to the donor.
- Any anonymous election donation of more than \$1,000 in value must not be used for meeting or contributing towards meeting his election expenses or for promoting the election of the candidate or prejudicing the election of another candidate or other candidates and must be given to a charitable institution or trust of a public character chosen by the candidate. A candidate engages in corrupt conduct if he fails to observe the above.
- It is an offence if a candidate does not give the unused election donations or donations that exceed the prescribed maximum amount of election expenses to a charitable institution or trust of a public character chosen by the candidate.

**Election Returns (Sections 20, 36, 37, 38)**

- It is an offence if a candidate makes a statement that he knows or ought to know is materially false or misleading in the election return.
- It is an offence if a candidate fails to lodge with the relevant Returning Officer an election return of his election expenses and all election donations not later than 30 days after the date of publication of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law.
- The return must be accompanied by:
  - (1) an invoice and a receipt of each election expense, giving particulars of the expenditure (except for sums under \$100); and
  - (2) a copy of the receipt issued to every donor, giving particulars of the donor and the election donation (except for donations of \$1,000 in value or below); and
  - (3) a copy of the receipt of such election donation given to a charitable institution or trust of a public character chosen by the candidate in accordance with the law; and
  - (4) an explanation setting out the reason why an unused election donation was not disposed of in accordance with the requirement of giving the same to charitable institutions or trusts of a public character; and
  - (5) a declaration in a form provided or specified by the relevant Returning Officer verifying the contents of the return.

**(5) ELECTION PETITION OR ELECTION APPEAL**

**Bribery in Relation to Election Petition or Election Appeal (Section 21)**

- It is an offence if a person offers an advantage to another person:
  - (1) as an inducement for that person, or for him to get a third person, to withdraw an election petition or election appeal; or
  - (2) as a reward for that person for his having withdrawn or agreed to withdraw; or for his having got a third person to withdraw an election petition or election appeal.
  
- It is an offence if a person:
  - (1) withdraws his election petition or election appeal in return for an advantage; or
  - (2) solicits or accepts an advantage as an inducement to withdraw an election petition or election appeal; or
  - (3) solicits or accepts an advantage as a reward for his having withdrawn or his having got a third person to withdraw an election petition or election appeal.

**(6) MISCELLANEOUS AND RELATED PROVISIONS**

**Corrupt or Illegal Conduct Engaged in with the Knowledge and Consent of a Candidate (Section 29)**

- A candidate is to be regarded as having personally engaged in corrupt or illegal conduct if the conduct was engaged in with the knowledge and consent of the candidate.

**Officers Liable for Offences Committed by Corporation (Section 42)**

- If a corporation is found guilty of having engaged in a corrupt or illegal conduct, the director, executive officer or any person who is concerned in the management of the corporation during the material time will be liable for the conduct unless the person proves that:
  - (1) he has no knowledge of the conduct; or
  - (2) he has exercised reasonable diligence to prevent the conduct, if it was done with his knowledge.

**Aiding, Abetting, etc. to Commit an Offence (Section 43 of the ECICO and Section 101C of the Criminal Procedure Ordinance (Cap.221))**

- A person commits an offence if he incites, conspires with, aids, abets, counsels or procures another person to engage in corrupt or illegal conduct at an election or attempts to engage in corrupt or illegal conduct.

## **(7) APPLICATION FOR RELIEF**

### **Relief for Certain Illegal Conduct (Section 31)**

- A candidate, agent or any other person who has done or omitted to do an act that would be an “illegal conduct” under the ECICO may apply to the Court for an order relieving him from penalties and disqualifications that are imposed on him by an electoral law.
- The applicant has to satisfy the Court that such act or omission was due to inadvertence, an accidental miscalculation or any reasonable cause and was not due to bad faith.

### **Relief for Offences in Relation to Election Advertisements (Section 35)**

- Any person who has published a printed election advertisement without the printing details required by Section 34 or has not furnished 2 copies of the printed election advertisement to the relevant Returning Officer in accordance with Section 34 may apply to the Court for an order:
  - (1) allowing the publication be excepted from the statutory requirements; and
  - (2) relieving him from penalties to be imposed on him by Section 34.
- The applicant has to satisfy the Court that the non-compliance was due to inadvertence, an accidental miscalculation or any reasonable cause and was not due to bad faith.

### **Relief for Offences in Relation to Election Returns (Section 40)**

- A candidate who fails to lodge an election return as required by Section 37 before the end of the permitted period, or fails to send an invoice or a receipt, or a copy of a receipt, as required by the law or has lodged an election return or any document accompanying the return, which contains any error or false statement may apply to the Court for an order allowing the candidate to lodge with the relevant Returning Officer an election return within such further period as the Court specifies, or an order excepting the candidate from the requirement to send an invoice or a receipt, or a copy of a receipt, as required by the law, or an order enabling the candidate to correct any error or false statement in an election return or in any document accompanying the return.
- The candidate has to satisfy the Court that the failure to comply with the requirement was attributable to the following reasons and was not due to bad faith:
  - (1) the applicant’s illness or absence from Hong Kong; or
  - (2) the death, illness, absence from Hong Kong of an agent or employee of the applicant; or
  - (3) misconduct of an agent or employee of the applicant; or
  - (4) inadvertence or an accidental miscalculation by the applicant or any



- other person; or
- (5) an accidental loss or destruction of the invoice or receipt or copy of the receipt by the applicant or any other person; or
  - (6) any reasonable cause.

*\* (1), (2), (3), (4) and (6) are reasons for the Court to consider an application whether an extended period for lodging an election return should be granted; (3), (4) and (6) are reasons for the Court to consider an application which enables the candidate to correct any error or false statement in an election return or in any document accompanying the return while (3), (5) and (6) are reasons for considering whether an order for excepting the candidate from the requirement to send an invoice, or a receipt, or a copy of a receipt should be allowed. Depending on the circumstances of different cases, candidates should check whether the above reasons are applicable to their applications concerned. .*

## **(8) PENALTY**

### **Corrupt Conduct**

- As stipulated in the ECICO, a person who engages in corrupt conduct at an election commits an offence and is liable on conviction to:
  - (1) a fine of \$200,000 and imprisonment for 3 years if tried summarily; or
  - (2) a fine of \$500,000 and imprisonment for 7 years if tried on indictment.
- A person who is convicted of having engaged in corrupt conduct has to pay to the Court the amount or value of any valuable consideration received by the person or his agents in connection with the conduct or such part of the amount or value as specified by the Court.

### **Illegal Conduct**

- As stipulated in the ECICO, a person who engages in illegal conduct at an election commits an offence and is liable on conviction to:
  - (1) a fine at level 5 and imprisonment for 1 year if tried summarily; or
  - (2) a fine of \$200,000 and imprisonment for 3 years if tried on indictment.
- A person who has contravened the provisions of Section 34 or 37 of the ECICO is liable on conviction to the same penalty as illegal conduct.

<p><b>Corrupt conduct</b> refers to that mentioned in Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of the ECICO as listed in this Handbook, whereas <b>illegal conduct</b> in Sections 23, 24, 25, 26 and 27.</p>
--

**Disqualifications**

- A person convicted of having engaged in corrupt conduct or illegal conduct under the ECICO will be:
  - disqualified for 5 years from being nominated as a candidate for the election of, or elected as the Chief Executive, a member of the Legislative Council or District Council, or a Village Representative the date of conviction; and
  - disqualified for 3 years from being nominated as a candidate for the election of, or from being nominated or elected as, an Election Committee member from the date of conviction.

**Immediate Custodial Sentence**

- According to the sentencing guideline set by the Court of Appeal on 27 November 1997, any person convicted of a serious election-related offence shall receive an immediate custodial sentence in order to uphold clean and fair elections in Hong Kong.

## **DOS AND DON'TS CHECKLIST**

Candidates, their election agents and helpers should note the following in an election :

### **(1) NOMINATION OF CANDIDATES**

#### **Bribery**

- ✘ Do not engage in, or authorise another person either expressly or by implication, to engage in, any of the following corrupt conduct :
  1. offer any advantage to get any person to stand or not to stand as a candidate.
  2. offer any advantage to get any person having been nominated as a candidate to withdraw his candidature.
  3. offer any advantage to get any candidate not to use his best endeavours to promote his candidature.
- ✘ Do not solicit or accept any advantage for any person's standing or not standing as a candidate.
- ✘ Do not solicit or accept any advantage for any person's withdrawal of his candidature.
- ✘ Do not solicit or accept any advantage for any candidate's not using his best endeavours to promote his election.

#### **Using or Threatening to Use Force or Duress**

- ✘ Do not use or threaten to use force or duress to induce any person to stand or not to stand as a candidate, or to withdraw his candidature.
- ✘ Do not authorise another person, either expressly or by implication, to engage in the above conduct.

#### **Engaging in Deceptive Behaviour**

- ✘ Do not induce by deception, any person to stand or not to stand as a candidate, or to withdraw his candidature.
- ✘ Do not authorise another person, either expressly or by implication, to engage in the above conduct.

## **Nomination Paper**

- \* Do not deface or destroy any nomination paper to prevent or obstruct another person from standing for an election.

## **(2) ELECTIONEERING**

### **Statements about a Candidate**

- \* Do not publish any false statement that a person is or is not a candidate.
- \* Do not make any false or misleading statement of fact including (but not limited to) the character, qualifications or previous conduct of a candidate or candidates.

### **Election Advertisement**

- \* Do not use, without obtaining prior written consent, the name or logo of a person or an organisation; or the pictorial representation of any person in an election advertisement in such a way as to infer that the candidate concerned has the support of the named person or organisation.
- ✓ Do include in all printed election advertisements, except those printed in a registered local newspaper, the name and address of the printer, the date of printing and the number of copies printed.
- ✓ Do remember that a performance report published by an incumbent candidate during the election period is an election advertisement.
- ✓ Do furnish 2 copies of any printed election advertisement to the relevant Returning Officer not later than 7 days# after it is published.

# *It should, however, be noted that under the Electoral Procedure (Village Representative Election) Regulation, a candidate must submit 2 copies of his election advertisement to the relevant Returning Officer before he displays, distributes or otherwise uses the election advertisement and comply with all other statutory requirements governing election advertisements in an election and relevant guidelines issued by the Electoral Affairs Commission.*

## **(3) VOTING**

### **Bribery**

- \* Do not engage in, or authorise another person either expressly or by implication, to engage in, any of the following corrupt conduct :

1. offer any advantage as an inducement to or a reward for any person's not voting at an election.
2. offer any advantage as an inducement to or a reward for any person's voting or not voting for a particular candidate at an election.

**Providing Refreshments or Entertainment**

- ✘ Do not engage in, or authorise another person either expressly or by implication, to engage in, any of the following corrupt conduct :
  1. provide or meet all or part of the cost of providing any food, drink or entertainment as an inducement to or a reward for any person's not voting at an election.
  2. provide or meet all or part of the cost of providing any food, drink or entertainment as an inducement to or a reward for any person's voting or not voting for a particular candidate at an election.

**Using or Threatening to Use Force or Duress**

- ✘ Do not use or threaten to use, or authorise another person, either expressly or by implication, to use or threaten to use, force or duress against any person for the purpose of influencing his or any other person's voting decision.

**Engaging in Deceptive Behaviour**

- ✘ Do not engage in, or authorise another person either expressly or by implication, to engage in, any of the following corrupt conduct :
  1. induce by deception any person not to vote at an election.
  2. induce by deception any person to vote or not to vote for a particular candidate at an election.

**Other Offences in Relation to Voting**

- ✘ Do not invite or induce ineligible persons to vote.
- ✘ Do not invite or induce a person to vote more than once in the same Resident Representative Election or Indigenous Inhabitant Representative Election, or to vote in more than one Resident Representative Election or Indigenous Inhabitant Representative Election.
- ✘ Do not destroy, deface, take or otherwise interfere with a ballot paper in use or that has been used unless being lawfully authorised.

#### (4) ELECTION EXPENSES AND ELECTION DONATIONS

##### Election Expenses

- ✘ Do not incur election expenses more than the prescribed maximum amount for a Village Representative Election.
- ✘ Do not incur election expenses unless you are a candidate or a candidate's election expense agent with the required authorisation.
- ✘ Do not incur election expenses in excess of the amount authorised by the candidate if you are an election expense agent.
- ✓ Do include the election expenses incurred by the candidate and his election expense agent(s) in the election return.

##### Election Donations

- ✘ Do not use election donations for meeting the costs of activities unrelated to a candidate's election.
- ✓ Do issue a receipt for any election donation of more than \$1,000 in value.
- ✓ Do send any election donation of more than \$1,000 in value received from an anonymous donor to a charitable institution or trust of a public character chosen by the candidate.
- ✓ Do send any unused election donations and donations in excess of the statutory limit of election expenses to a charitable institution or trust of a public character chosen by the candidate.

##### Election Returns

- ✓ Do submit a return on election expenses and donations to the relevant Returning Officer not later than 30 days after the date of publication of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law.
- ✓ Do submit with your election return the invoices, receipts and declaration form, etc. as stipulated by the law.
- ✘ Do not make any false or misleading statement in the return on election expenses and donations.
- ✓ Do lodge your election return with the relevant Returning Officer within the period as required by the law even if **NO** election expense has been

incurred.

**(5) ELECTION PETITION OR ELECTION APPEAL**

- ✘ Do not withdraw an election petition or election appeal for an advantage.
- ✘ Do not offer any advantage to get any person to withdraw an election petition or election appeal.
- ✘ Do not solicit or accept any advantage to withdraw an election petition or election appeal.

## **ENQUIRIES AND REPORTS**

### **ENQUIRIES**

Any person who wishes to make enquiries on the Elections (Corrupt and Illegal Conduct) Ordinance may call the ICAC **Election Enquiry Hotline 2920 7878**, or approach any ICAC Regional Office from 9:00 am to 7:00 pm Monday to Friday (closed on Saturday, Sunday and public holidays).

### **REPORTS**

Any person who discovers or suspects any conduct in contravention of the ECICO may call the 24-hour ICAC **Report Hotline 25 266 366**, make a report in person to the 24-hour ICAC Report Centre (G/F, 303 Java Road, North Point, Hong Kong) or any ICAC Regional Office, or write to Hong Kong GPO Box 1000.

## **ADDRESSES AND TELEPHONE NUMBERS OF ICAC REGIONAL OFFICES**

### **HONG KONG ISLAND**

ICAC Regional Office (Hong Kong West/Islands)  
G/F, Harbour Commercial Building  
124 Connaught Road Central, Sheung Wan  
Tel. No.: 2543 0000

ICAC Regional Office (Hong Kong East)  
G/F, Tung Wah Mansion  
201 Hennessy Road, Wanchai  
Tel. No.: 2519 6555

### **KOWLOON**

ICAC Regional Office (Kowloon West)  
G/F, Nathan Commercial Building  
434-436 Nathan Road, Yau Ma Tei  
Tel. No.: 2780 8080

ICAC Regional Office (Kowloon East/Sai Kung)  
Shop No.4, G/F, Kai Tin Building  
67 Kai Tin Road, Lam Tin  
Tel. No.: 2756 3300



**NEW TERRITORIES**

**ICAC Regional Office (New Territories South West)**

*(until 21 February 2010)*

Room 2301-A2, Nan Fung Centre  
264-298 Castle Peak Road, Tsuen Wan  
Tel. No.: 2493 7733

*(from 22 February 2010 onwards)*

Shop B1, G/F, Tsuen Kam Centre  
300-350 Castle Peak Road, Tsuen Wan  
Tel. No.: 2493 7733

**ICAC Regional Office (New Territories North West)**

G/F, Fu Hing Building  
230 Castle Peak Road, Yuen Long  
Tel. No.: 2459 0459

**ICAC Regional Office (New Territories East)**

G06-G13, G/F, Shatin Government Offices  
1 Sheung Wo Che Road, Shatin  
Tel. No.: 2606 1144

*[Amended in December 2009]*



**Consent of Support**

(To be deposited with the Returning Officer as soon as it is completed)

**FOR AN INDIVIDUAL**

1. I hereby give consent to \_\_\_\_\_  
[Name of the Candidate]  
(HKID No.: \_\_\_\_\_) to use my name or logo of or  
associated with me or my pictorial representation in \*my personal capacity / in my  
official capacity  
as“ \_\_\_\_\_ ” in the manner described in section 27  
of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554), as an  
indication of my support, for the purpose of promoting or procuring \*his / her  
election as \*an Indigenous Inhabitant Representative / a Resident Representative  
for the \_\_\_\_\_  
\_\_\_\_\_ Village at the \*election / by-election to be  
held on \_\_\_\_\_.  
[Date]

2. # I have obtained the approval of \_\_\_\_\_  
[Name of organisation]  
for my giving of the above consent at the general meeting of the organisation held on  
\_\_\_\_\_ at \_\_\_\_\_.  
[Date] [Time]

**FOR AN ORGANISATION**

3. I have been authorised by \_\_\_\_\_  
[Name of organisation]  
to give consent to \_\_\_\_\_  
[Name of Candidate]  
(HKID No.: \_\_\_\_\_) to use the name or logo of or  
associated with the organisation in the manner described in section 27 of the Elections  
(Corrupt and Illegal Conduct) Ordinance (Cap 554), as an indication of its support, for  
the purpose of promoting or procuring \*his/her election as an Indigenous Inhabitant  
Representative / a Resident Representative for the \_\_\_\_\_ Village at the  
\*election / by-election to be held on \_\_\_\_\_.

[Date]

4. A resolution to give the above consent has been passed at the general meeting of the organisation held on \_\_\_\_\_ at \_\_\_\_\_.  
[Date] [Time]

**FOR COMPLETION IN BOTH CASES**

5. \*I / The organisation \*have / has been given to understand by \_\_\_\_\_ (HKID No.: \_\_\_\_\_)  
[Name of the candidate]  
that \*he / she is not disqualified from being nominated as a candidate under section 23 of the Village Representative Election Ordinance.

**SIGNED BY CANDIDATE:**

**SIGNED BY:**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Candidate: \_\_\_\_\_

Name: \_\_\_\_\_  
[Supporting individual or person who is authorised by the organisation to give consent]

HKID No.: \_\_\_\_\_

HKID No.: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Capacity: \_\_\_\_\_

Chop of organisation: \_\_\_\_\_

**WITNESSED BY:**

Signature: \_\_\_\_\_ Name: \_\_\_\_\_

HKID No.: \_\_\_\_\_ Date: \_\_\_\_\_

**Note**

- \* Delete as appropriate.
- # To be completed where consent of support is given to a candidate in the official capacity of an office bearer of an organisation, should the organisation consider necessary.

You may wish to note the following with regard to the personal data supplied in this form.

**(a) Purpose of Collection**

The personal data and other related information supplied in this form will be used by the Director of Home Affairs, the Registration and Electoral Office and the Returning Officer for election related purposes. The consent form will also be made available for public inspection and all Hong Kong Identity Card Numbers provided in the form will be covered up before the form is displayed.

**(b) Classes of Transferees**

The information provided in this form may also be provided to departments/ agencies authorised to process the information for election related purposes.

**(c) Access to Personal Data**

Any person has a right to request access to, and to request the correction of, the personal data which he/she provided in accordance with the provisions of the Personal Data (Privacy) Ordinance.

**(d) Enquiry**

Enquiries concerning the personal data collected by means of this form, including the making of access and corrections, should be addressed to the Director of Home Affairs at 30th Floor, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong.

## **Guidelines for Mutual Aid Committees**

1. Chapter 14 of the Electoral Affairs Commission's Guidelines on the Village Representative Elections provides that a candidate must obtain the prior written consent from a person or an organisation before using the name or logo of that person or organisation, or a pictorial representation of that person in any of his election advertisements or activities as an indication of support from that person or organisation.

2. In this respect, Mutual Aid Committees ("MACs") should comply with the following procedures:

- (a) If the support is to be given to a candidate in the name of the MAC, the written consent should be approved at a general meeting convened in accordance with the Model Rules for the MAC, and signed by the incumbent Chairman of the MAC.
- (b) If the support to a candidate is to be given in the official capacity of an office bearer of a MAC, that office bearer should first obtain the approval of the MAC at a general meeting convened in accordance with the Model Rules for the MAC. Otherwise, that office bearer should be careful not to give any impression or cause misunderstanding that the support in his official capacity represents the support of the MAC.
- (c) If the support to a candidate is to be given in the personal capacity of an office-bearer of the MAC and his official title will not be mentioned in the election advertisements of the candidate, it will not be necessary for that office-bearer to seek approval from the MAC or its executive committee.

3. All general meetings of the MAC should be convened in accordance with the procedures laid down in the Model Rules for the MAC.

4. Decisions taken at the meetings of MACs must be properly recorded and the record must be prominently displayed in the block within seven days after the meeting.

*[Added in October 2004]*

**Guidelines for Candidates on Sending  
Election Advertisements to Registered Electors  
in the Custody of the Correctional Services Department**

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**(Note: The following guidelines serve to illustrate some of the articles which, if possessed by electors in the custody of the Correctional Services Department (“CSD”), may cause security hazards to prison, and will be rejected if they are mailed to them. The list of articles set out below is by no means exhaustive.)**

For security reasons and to maintain good order and discipline of the prison, any electoral advertisements (“EA”) mailed to registered electors in the custody of the CSD will be subject to security checking and will be refused if the EA falls within any of the following categories:-

Materials

- (a) made of metal or plastic ;
- (b) laminated;
- (c) sharp object; or
- (d) coated with powder-like material.

Content/Information

- (a) on how to manufacture arms, ammunition, weapon, explosive, harmful or deleterious substance, intoxicating liquor, or any dangerous drugs within the meaning of the Dangerous Drugs Ordinance (Cap. 134);
- (b) depicts, describes or encourages violence in the prison, or the escape by any inmate/prisoner from the prison;
- (c) is of such a nature as to facilitate gambling in the prison, or is otherwise detrimental to the rehabilitation of any of the electors in the custody of the CSD;
- (d) is of such a nature as to encourage the commission of any offence enumerated in Prison Rule (Cap. 234) or of any criminal offence by any of the electors in the custody of the CSD;
- (e) is of such a nature as to pose a threat to any individual’s personal safety or to the security, good order and discipline of the prison; or

(f) obscene/indecent.

Size & quantity

- (a) bigger than A4 size; or
- (b) exceptionally bulky.

Remarks: In case of queries, please contact Principal Officer (Operations) of  
Correctional Services Department at 2582 4023.

Correctional Services Department  
December 2009



## Index

(The numbers indicate paragraph numbers)

### **a**

action checklist for candidates .....	Appendix A
actors, during election period .....	6.10
admission, polling station (see also <i>polling station</i> )	1.56-1.57
advance return of donations (see also <i>donation</i> ) .....	12.27, 12.29
advertising	
- through the electronic media .....	6.2-6.12
- through the printing media .....	6.3-6.15
agent	
- counting ( <i>see counting agent</i> )	
- election ( <i>see election agent</i> )	
- election expense ( <i>see election expense agent</i> )	
- polling ( <i>see polling agent</i> )	
allocation of designated spots (see <i>designated spots</i> under <i>election advertisement</i> )	
allocation of polling station (see also <i>polling station</i> ) .....	1.471.50
amplifying device (see <i>loudspeaker</i> )	
anonymous donations (see <i>donation</i> )	
appeal against provisional register (see also <i>provisional register</i> ) .....	1.26
appointment	
- counting agent ( <i>see also counting agent</i> ) .....	3.43-3.45
- election agent ( <i>see also election agent</i> ) .....	3.6-3.10
- election expense agent ( <i>see also election expense agent</i> )	3.17-3.19, 12.10
- polling agent (see also <i>polling agent</i> ) .....	3.25-3.27
authorisation of election expense agent .....	3.17-3.20, 12.10-12.11

### **b**

badge, emblem, clothing or headwear (see also <i>propaganda material</i> ) .....	1.73, 10.10
ballot box	
- delivery .....	1.77-1.80
- locking and sealing at the close of poll .....	1.77, 3.33
- before commencement of poll .....	1.52, 3.33
- opening .....	1.92-1.93

ballot paper	
- counting.....	1.88
- disposal.....	1.103-1.105
- invalid.....	1.95
- marking.....	1.66, 3.39
- chop.....	1.66, 1.95, 3.39
- questionable.....	1.96-1.98
- removal from polling station.....	Note under 1.67
- spoilt.....	1.69, 1.77, 1.95
- tendered.....	1.70, 1.95
- unissued.....	1.53, 1.77
- unused.....	1.77
- validity.....	1.95-1.98
ballot paper account.....	1.78-1.79, 1.87, 1.94, 1.99
ballot paper sorting station.....	1.53, 1.79-1.87, 1.94, 3.16, 3.42, 3.45, 3.45-3.50, Appendix A
breach of the Guidelines.....	7.4, 9.10, 12.31, 13.26, 17.1, 17.4, 17.14
bribery (see also <i>corrupt conduct</i> ).....	13.4, 13.15
broadcasting van (see also <i>loudspeaker</i> ).....	7.6-7.7
by-election.....	1.29, 1.32, 1.81

## **c**

candidate	
- action checklist.....	Appendix A
- appearing in commercial advertisements.....	6.11-6.12
- attending public functions.....	15.8
- definition.....	Important Note under 4.1 Important Note under 6.1, Important Note under 15.1, 12.2
- disqualification.....	2.5
- false statement (see also <i>false statement</i> ).....	4.8, 13.7-13.8
- incumbent candidates (see <i>incumbent candidates</i> )	
- lodging of complaint inside polling station.....	3.41, 17.9
- nomination (see <i>nomination of candidates</i> )	
- qualification.....	2.2
- request for re-count of votes.....	1.101
- withdrawal.....	2.21

canvassing activities	
- in no canvassing zone.....	4.18, 10.10, 11.4, Appendix F
- in a prison or the premises of a law enforcement agency.....	8.4
- involving pupils.....	9.2-9.7
- joint canvassing.....	4.26a
- outside a polling station (see also <i>polling station</i> ).....	1.54-1.55, 10.10-10.15
- using loudspeaker (see <i>loudspeaker</i> )	
- using vehicles.....	7.6-7.7
censure (see also <i>reprimand</i> )	
- breach of time restriction when using loud-hailers.....	7.4
- breach/non-compliance of the Guidelines.....	9.10, 13.29, 17.14
- corrupt and illegal conduct.....	13.29
- involving youths of school age.....	9.2, 9.10
- non-compliance with the guidelines.....	17.14
- opportunity to make representations.....	17.14
- unauthorised display of election advertisements.....	4.52
- unauthorised electioneering against the fair and equal decision of an organisation or building.....	8.6-8.11, 8.31-8.32
- unfair and unequal treatment.....	6.17, 8.31-8.32
Chief Electoral Officer (CEO)	
- Admission to a polling station.....	1.56
- Admission to a counting zone.....	1.88
- reporting irregularities to EAC.....	17.17
chop (see also <i>ballot paper</i> ).....	1.65, 3.39
claim of support.....	4.2, 4.40, 13.9-13.11, 14.1, 14.3-14.9
close of poll.....	1.77-1.78
commercial advertisements, candidates appearing in.....	6.11-6.12
common parts of building (see also <i>fair and equal treatment principle</i> ).....	8.5-8.20, 8.24
complaints	
- against conduct, behaviour or acts of RO or REO officers.....	17.5
- against criminal, illegal or corrupt activities.....	17.2
- containing false statement (see also <i>false statement</i> ).....	17.18
- duties of PROs, Deputy PRO, Assistant PROs, ROs and REO .....	17.10-17.11, 17.17
- hotline.....	17.7
- inside polling station.....	3.41, 17.9-17.10

complaints ( <i>Cont'd</i> )	
- obligations of the RO, PRO and the REO.....	17.17
- period.....	17.6
- procedure.....	17.7-17.9
- processing.....	17.11-17.15
- relating to breach of Guidelines or Regulation.....	4.52, 17.1, 17.4
- relating to display of election advertisements.....	4.52
- report to Chief Executive.....	17.16
Complaints Committee.....	12.31, 17.3
Composite Indigenous Village (CIV)	
- definition.....	1.3
- numbers.....	1.3
- voting system.....	1.33-1.35
conduct at	
- ballot paper sorting station (see also <i>counting agent</i> and <i>ballot paper sorting station</i> ).....	1.84-1.85, 3.50
- counting station (see also <i>counting agent</i> and <i>counting station</i> ) .....	1.90-1.91, 3.48-3.50
- polling station (see also <i>polling agent</i> and <i>polling station</i> ) .....	1.73-1.76, 3.33-3.35
consent	
- display of election advertisement on designated spots.....	4.17
- display of election advertisement on private premises.....	4.13, 4.23, 4.40
- support (see also <i>namedropping</i> ).....	4.40, 13.9-13.11, 14.1, 14.3-14.9
corrupt and illegal conduct	
- election expenses and donations.....	4.54, 4.56, 12.9-12.10, 12.313, 12.33-12.38, 13.19, 13.23
- electioneering and voting.....	13.15-13.22
- handbook (see also <i>ICAC</i> ).....	13.2, Appendix H
- non-compliance and sanction (see also <i>censure</i> and <i>reprimand</i> ).....	13.26, 13.30
- penalty.....	13.3, 13.30
- power of court to excuse innocent acts.....	13.24-13.25
corrupt conduct	
- bribery.....	13.4, 13.15
- deception.....	13.4-13.5
- deface of nomination paper.....	13.6
- duress.....	13.4-13.5, 13.20

corrupt conduct ( <i>Cont'd</i> )	
- election expenses and donations	12.34, 12.36, 13.19, 13.23
- force	13.4-13.5, 13.20
- nomination and withdrawal of candidates	13.4-13.6
- penalty	13.3, 13.30
- treating	5.3, 13.16-13.19
- undue influence	9.4, 13.20-13.21
- voting offences	13.22
corruption, ICAC handbook (see also <i>ICAC</i> )	13.2, Appendix H
counting, rules relating to	1.69-1.71, 1.95-1.98
counting agent	
- appointment	3.33-3.34
- conduct inside ballot paper sorting station	3.50-3.51
- conduct inside counting station	1.88-1.91, 3.47-3.50
- number	3.3
- qualification	3.4-3.5
- revocation	3.44
- role	3.45
counting of votes	
- presence	1.88-1.90, 3.48
counting officer	3.48
counting process	1.92-1.101
counting staff	1.88, 3.5
counting station	
- conduct inside (see also <i>conduct at</i> and <i>counting agent</i> )	1.90-1.91, 3.48-3.50
- display of notice of result	1.102
- photographing, filming and recording	1.90
- public observation	1.90
counting zone	1.90
Court of First Instance	12.26, 13.25, 16.1, 16.2
court, power to excuse innocent acts	13.24-13.25

## ***d***

### date

- allocation of number to candidates by drawing of lots	2.23-2.24
- appeal against provisional register	1.26

date ( <i>Cont'd</i> )	
- application for re-allocation of polling station by electors with a disability.....	1.50
- application for registration as an elector.....	1.17, 1.20, 1.27
- nomination.....	2.6
- publication of final register.....	1.27
- publication of provisional register.....	1.24
- sending in material for inclusion in introductory leaflet.....	2.23-2.24
- sending polling notices.....	1.48
- suggestions of designated spots to reach Director of Home Affairs.....	Note under 4.12
declaration	
- election advertisement (see also <i>election advertisement</i> ).....	4.38, 4.40a, 4.41-4.44
- result of election.....	1.102
Declaration of Secrecy	
- ballot paper sorting station .....	1.83, 3.47
- counting station.....	1.89-1.90, 3.47
- polling station.....	1.57, 3.30-3.31
dedicated polling station.....	1.47, 1.66, 1.74, 1.78, 1.81, 3.3, 3.33-3.35, 3.49, Appendix A
delivery of ballot box (see also <i>ballot box</i> ).....	1.77, 1.79
delivery of return and declaration of election expenses and donations (see also <i>return and declaration of election expenses and donations</i> ).....	12.23
deposit, consent of support (see also <i>consent</i> ).....	4.40, 13.9-13.10, 14.5, 14.8
deposit, election advertisement with RO (see also <i>election advertisement</i> ).....	4.40, 4.48, 13.13-13.14
deposit, permission or authorisation to display election advertisement (see also <i>election advertisement</i> ).....	4.13, 4.17, 4.23, 4.40
designated spot for displaying election advertisement (see <i>election advertisement</i> )	
designation of	
- no canvassing zone (see also <i>no canvassing zone</i> ).....	1.54, 10.3
- no staying zone (see also <i>no staying zone</i> ).....	1.54, 10.3
- polling station (see also <i>polling station</i> ).....	1.46-1.47, 1.50
Director of Home Affairs (DHA)	
- appointing counting staff.....	3.5
- designating polling stations.....	1.46-1.47

Director of Home Affairs (DHA) (*Cont'd*)

- keeping sealed packets of documents for safe custody.....	1.103-1.104
- publishing village by-election notice.....	1.32
- reporting irregularity to the EAC.....	17.11, 17.18
disability of electors	
- marking of ballot paper.....	1.72, 3.38-3.39
- re-allocation of polling station.....	1.50
- template (see <i>template</i> )	
dismounting of election advertisement (see also <i>election advertisement</i> ).....	4.35
display of election advertisement (see <i>election advertisement</i> )	
disposal of documents and ballot papers.....	1.103-1.105
disposal of donation (see also <i>donation</i> ).....	12.17, 12.19, 12.24
disqualification of a candidate (see also <i>candidate</i> ).....	2.5
distribution of election advertisement (see also <i>election advertisement</i> ).....	
.....	4.3-4.4, 4.38-4.40, 8.1, 9.4, 13.9
donation	
- advance return.....	12.25, 12.27-12.29
- anonymous.....	12.19
- definition.....	12.3
- disposal.....	12.17, 12.19
- in kind.....	12.16, 12.18, 12.20-12.22
- purpose.....	12.3, 12.14-12.15
- receipt.....	12.19, 12.25
- return (see <i>return and declaration of election expenses and donations</i> )	
drawing of lots	
- allocation of designated spots.....	4.16, 4.22, 4.24
- allocation of venue for conducting election meeting.....	Appendix BII
- determination of election result.....	1.34
<i>e</i>	
election	
- by-election.....	1.29, 1.32, 1.81
- declaration of result.....	1.102
election advertisement	
- corrective declaration.....	4.41
- declaration.....	4.38, 4.40a, 4.41-4.44
- definition.....	4.1-4.4

election advertisement (*Cont'd*)

- deposit with RO.....4.40-4.40b, 13.13-13.14
- designated spots.....4.10-4.12, 4.16-4.17, 4.19-4.22, 4.24-4.25
  - allocation.....4.16-4.17, 4.20-4.22
  - outside the village in which a candidate stands.....4.24a
  - re-allocation.....4.24
  - suggestions by prospective candidates.....4.12
- dismounting.....4.35
- distribution.....4.3-4.4, 4.38-4.40b, 8.1, 13.9
- joint display.....4.25
- joint declaration and submission.....4.40c
- mailing
  - addressing.....4.58-4.59
  - conditions.....4.57
- mounting and installation.....4.29-4.34
- negative campaigning.....12.11
- no-display areas.....1.54, 4.18-4.19
- penalty.....4.17, 4.48, 4.50
- performance reports.....4.3-4.4a
- permission or authorisation for display....4.9, 4.13, 4.17, 4.23, 4.40, 4.49
- print media.....4.46, 6.13-6.15
- printed election materials.....4.45, 13.12-13.14
- printing details.....4.40, 4.45, 4.47-4.48
- private spots.....4.10, 4.13, 4.38, 8.24
- promoting or prejudicing a candidate.....4.5a-4.5b
- public inspection.....4.44
- published materials by organisations.....4.53
- quantity.....4.7
- removal.....4.31-4.32, 4.35, 4.41, 4.50
- re-use of old publicity boards.....4.27
- serial numbering.....4.36-4.37
- size.....4.28, 4.36-4.37
- unauthorised display and consequence.....4.50, 10.11

election agent

- appointment.....3.6-3.8
- lodging of complaint inside polling station.....3.41
- number.....3.3
- qualification.....3.4-3.5



election agent ( <i>Cont'd</i> )	
- request for re-count of votes	1.101
- revocation	3.9-3.10
- role	3.12-3.13
election broadcasting	
- election advertisements	6.2
- equal time principle	6.3, 6.5-6.7
- fair and equal treatment	6.8
- no unfair advantage principle	6.6, 6.15a
- participation by candidates	6.9-6.12
- restrictions on presenters, regular contributors, actors, musicians, singers or other entertainers who are candidates	6.9-6.12
election campaigning	1.38-1.44, 5.5, 5.11, 5.17, 6.4, 6.16, 9.9
election donation (see also <i>donation</i> )	4.13, 12.2, 12.15, 12.18, 12.19
election expenses	
- corrupt and illegal conduct (see also <i>corrupt and illegal conduct</i> and <i>illegal conduct</i> )	3.8, 3.21, 4.54, 4.56, 12.10, 12.13, 12.33-12.38, 13.19, 13.23
- definition	4.6, 12.2, 12.4
- items also counted	3.18-3.20, 4.13, 4.35, 4.50-4.51, 4.53, 4.56, 8.11, 12.5, 12.22, 13.18, Appendix G
- liability of a candidate	3.8, 3.22, 12.9, 12.13, 12.23, 12.33
- maximum amount	4.7, 12.7-12.9
- return (see <i>return and declaration of election expenses and donations</i> )	
- who may incur	3.8, 3.21, 4.54, 12.10, 12.33
election expense agent	
- authorisation	3.17-3.18, 12.10-12.11
- illegal conduct	3.21, 12.33
- number	3.3
- qualification	3.4-3.5
- revocation	3.20
- role	3.21, 12.10
election forums	5.1, 6.9, 6.15-6.16a, Appendix BI
election meeting	
- definition	5.1
- in a public place	5.6, 5.9-5.10
- in private premises	5.15-5.16
- liability of candidates	5.4

election meeting ( <i>Cont'd</i> )	
- notification to the Police	5.6-5.8, 5.16, Appendix BII
- responsibility of organiser	5.10
- safe conduct, guidance note on election-related activities	5.10a, Appendix BI
election petitions	16.1-16.2
electioneering activities	
- corrupt and illegal conduct (see also <i>corrupt and illegal conduct</i> and <i>illegal conduct</i> )	13.7, 13.15-13.21
- in private premises	8.1
- declare to the management body	8.29
- identification of canvassers	8.11
- management bodies	8.1, 8.12-8.19, 8.24, 8.6, 8.23, 8.31
- management company	8.1h, 8.20
- mutual aid committee	8.1i, 8.20
- notification of decision to RO	8.23
- owners committee	8.1g-8.1h, 8.20
- owners corporation	8.1g-8.1h, 8.14-8.16, 8.20-8.21, 8.28
- owners' right	8.2, 8.20-8.21
- residents association	8.1i, 8.20
- sanction	8.31-8.32
- tenants association	8.1i, 8.20
- tenants' right	8.21
- in public housing estates	Appendix BII
- in schools	9.8-9.9
- participated by school pupils (see also <i>pupil involvement</i> )	9.2-9.7
- safe conduct, guidance note on election-related activities	5.10a, Appendix BI
- using loud-hailers	7.2-7.8
electioneering on TV and radio (see <i>election broadcasting</i> )	
eligibility	
- nomination of candidates (see <i>nominations of candidates</i> )	
- to vote	1.7
elector	
- application for registration	1.16-1.17
- change of other personal particulars	1.22
- disqualification for registration	1.15
- eligibility to vote	1.7

elector ( <i>Cont'd</i> )	
- identification at polling station.....	1.60
- imprisoned or held in custody.....	1.47, 3.14, 3.26, 4.60-4.61
- qualification for registration.....	1.8-1.14
- with a disability (see also disability of <i>electors</i> and <i>incapacitated elector</i> ) .....	1.50, 1.72, 3.38
empty opaque bag (see <i>voting system</i> ).....	1.35
Electoral Registration Officer (ERO).....	1.7, 1.10, 1.14-1.15, 1.23-1.26
enlarged copy of introductory leaflet (see <i>introductory leaflet</i> )	
entertainers, during election.....	6.10
entrance intercom system.....	8.8
equal time principle.....	6.3, 6.5-6.6
existing village (EV)	
- boundary maps .....	1.3
- definition.....	1.3
- number.....	1.3
- voting system.....	1.33-1.35
exit poll	
- application.....	11.3
- approval.....	11.3a
- identification of interviewers.....	11.8-11.9
- list conducting exit polls.....	11.3a
- restrictions.....	10.14, 11.4-11.5
- sanction (see also <i>censure</i> and <i>reprimand</i> ).....	11.10
- secrecy of the vote.....	11.7
- time for publication of result.....	11.5

## *f*

fair and equal treatment principle	
- common parts of building.....	8.19, 8.24
- display of election advertisement in private premises.....	4.14, 8.24
- election forums.....	6.16
- electioneering activities in private premises.....	8.1, 8.3, 8.19
- electioneering activities in schools.....	9.9
- electronic media.....	6.3-6.8
- print media.....	6.14-6.15, Appendix D
- sanction (see also <i>censure and reprimand</i> ).....	8.6, 8.31, 8.32

false claim of support.....	13.9, 13.11, 14.1, 14.9
false statement	
- about a candidate.....	13.7-13.8
- about a complaint.....	17.18
- in return and declaration of election expenses and donations.....	12.36
- of withdrawal of candidature.....	13.7
- penalty.....	12.36, 12.38
filming inside	
- ballot paper sorting station ( <i>see also ballot paper sorting station</i> ).....	1.84
- counting station ( <i>see also counting station</i> ).....	1.90
- polling station ( <i>see also polling station</i> ).....	1.76
final register (FR)	
- abuse or misuse of information.....	1.27
- contents .....	1.27
- date of publication .....	1.27
- public inspection .....	1.27
- reflection of changes of electors' particulars .....	1.27
- validity .....	1.27
first past the post system	
- drawing of lots .....	1.35
- equality of votes .....	1.35
- invalid vote.....	1.95
- marking of ballot papers.....	1.66, 3.39
- mechanism .....	1.35
float design.....	7.7, Appendix E
force or duress ( <i>see also corrupt conduct</i> ).....	1.58, 2.21, 9.2, 13.4-13.5, 13.20
form	
- advance return of donations.....	12.25, 12.28
- authorisation for display/distribution of election advertisements at private premises.....	4.13
- consent of support.....	14.1, 14.7, Appendix I
- corrective declaration of election advertisements.....	4.41
- declaration of election advertisements .....	4.38-4.39
- Declaration of Secrecy ( <i>see Declaration of Secrecy</i> )	
- nomination ( <i>see also nomination of candidates</i> ).....	2.7-2.10
- notice of appointment of counting agents.....	3.43
- notice of appointment of election agent.....	3.7
- notice of appointment of polling agents.....	3.25

form (*Cont'd*)

notice of authorisation of persons to incur election expense.....	3.17-3.18
- notice of revocation of appointment of agents.....	3.9, 3.20, 3.27, 3.44
- notice of withdrawal of candidature.....	2.21
- notification for public meeting or procession (see also <i>notification to the Police</i> ).....	5.7
- notification of decision on electioneering by candidates.....	8.23
- permission to raise funds.....	5.19, Appendix C
- return and declaration of election expenses and donations.....	12.23-12.25
- standard receipt for donations.....	12.19
fund raising activities.....	5.19

**g**

gazettal of result.....	1.102
government officials	
- acting as agents for candidates.....	3.5
- attending public functions.....	15.4-15.7
- supporting electioneering activities of a candidate.....	3.5, 15.3

**h**

handbook, ICAC (see also <i>ICAC</i> ).....	13.2, Appendix H
Home Affairs Department (HAD)	
- authorising other form of delivery of nomination form to RO.....	2.10
- keeping sealed packets of documents for safe custody.....	1.103
- reporting irregularities to EAC.....	17.11
- registration of electors.....	1.16-1.18, 1.20, 1.22
- publishing provisional register and omissions list.....	1.23-1.24
- publishing final register.....	1.27
- allocation of polling station.....	1.50
- re-allocation of a polling station.....	1.50
hotline	
- complaints.....	17.7
- enquiry on designation of polling station.....	1.50
- enquiry on information of candidates by school principals.....	9.9

*i*

ICAC, Handbook (see also *corrupt and illegal conduct and handbook*)..... 13.2, Appendix H

identification of

- canvassers conducting electioneering activities in a building..... 8.11
- electors at polling stations..... 1.60
- interviewers conducting exit poll..... 11.8-11.9

illegal conduct

- court to excuse innocent acts..... 13.24-13.25
- election advertisement..... 4.8, 4.48, 4.56, 13.12
- election expenses exceed maximum amount..... 12.9, 12.13, 12.33, 13.23
- false claim of support..... 13.9, 13.11, 14.1, 14.9
- false or misleading statement about a candidate..... 13.8, 13.11
- incurring election expenses without authority..... 4.54, 4.56, 12.10
- namedropping..... 14.1, 14.9
- penalty..... 12.33-12.38, 13.3, 13.30
- voting offences..... 13.22

impersonation..... 1.63, 3.33

incapacitated elector (see also *disability of electors and electors*)..... 1.50, 1.72, 3.39

incumbent candidates..... 4.3, 4.4a

indigenous inhabitant

- maximum no. of rotes..... 1.6
- registration as are elector..... 1.10

Indigenous Inhabitant Representatives (IIR)

- no. of seats..... 1.4

Indigenous Village (IV)

- definition..... 1.3
- number..... 1.3
- boundary maps..... 1.3
- voting system..... 1.33-1.35

inspection

- election advertisement (see also *election advertisement*)..... 4.44
- final register (see also *final register*)..... 1.27
- provisional register (see also *provisional register*)..... 1.23
- return and declaration of election expenses and donations (see also *return and declaration of election expenses and donations*)..... 3.23, 12.30
- introductory leaflet contents..... 2.23-2.24

inspection ( <i>Cont'd</i> )	
- enlarged copy.....	1.54
- repository.....	2.23
- public inspectors.....	2.23
- submission of message and photograph to RO.....	2.23-2.4
- to whom it will be sent.....	2.23-2.24
invalid ballot paper (see also <i>ballot paper</i> ).....	1.95
invalid nomination (see also <i>nomination of candidates</i> ).....	2.122.14-2.15, 2.18, 2.20

## ***l***

law enforcement agency.....	1.26, 1.27, 1.57, 1.64, 3.30, 3.35 , 8.4, 10.15
locking of ballot box (see <i>ballot box</i> )	
loud-hailer (see <i>loudspeaker</i> )	
loudspeaker	
- broadcasting van.....	7.4
- restrictions.....	1.54-1.55, 7.2-7.5, 7.8, 10.10, 10.12
- sanction by EAC.....	7.4
- time restriction.....	7.4

## ***m***

mailing of election advertisement (see <i>election advertisement</i> )	
management bodies.....	8.1, 8.6, 8.12-8.19, 8.24, 8.6, 8.23-8.24
management company.....	8.1h, 8.20
marking of ballot paper (see also <i>ballot paper</i> ).....	1.66, 3.39
maximum amount of election expenses (see also <i>election expenses</i> ).....	4.7, 12.7-12.8
media	
- print	
- advertisements.....	4.46, 6.13
- fair and equal treatment.....	6.13-6.14, Appendix D
- restrictions on regular columnists.....	6.15
- TV and radio (see also <i>election broadcasting</i> and <i>election forums</i> )	
.....	6.2-6.8,6.16

misconduct	
- in or in the vicinity of ballot paper sorting station	1.84
- in or in the vicinity of counting station	1.91, 3.50
- in or in the vicinity of polling station	1.73-1.76, 3.34-3.35
mobile exhibitions	5.17-5.18
mobile telephone	1.73, 3.34
mounting and installation of election advertisement (see also <i>election advertisement</i> )	4.29-4.34
musicians, during election period	6.10
mutual aid committee	4.2, 4.53, 5.15, 5.17, 8.1i, 8.20, 14.4a, Appendix J
<b><i>n</i></b>	
namedropping	
- guidelines for mutual aid committees	14.4a, Appendix J
- illegal conduct (see also <i>false claim of support</i> and <i>illegal conduct</i> )	14.1-14.8
- penalty (see also <i>censure</i> and <i>reprimand</i> )	14.9
negative campaigning	12.11
no canvassing zone	
- canvassing activities allowed/forbidden (see also <i>canvassing activities</i> )	1.55, 4.18, 10.10-10.12, 10.14-10.15, 11.4, Appendix F
- designation	1.54, 10.3-10.4
- notice of declaration	1.54, 10.5-10.9
- penalty	10.15-10.16
- purpose	1.54-10.2
- variation	10.7-10.9
no-display areas (see also <i>election advertisement</i> )	1.54, 4.18-4.19
no staying zone	
- canvassing activities forbidden	1.54-1.55, 10.13-10.15
- designation	1.54, 10.3
- notice of declaration	10.5-10.9
- penalty	10.15-10.16
- purpose	1.54, 10.2
- variation	10.7-10.9
no unfair advantage principle	6.4-6.6, 6.8
noise nuisance	7.2, 7.4



nomination of candidates	
- corrupt conduct.....	13.4-13.6
- disqualifications.....	2.5
- false declaration.....	2.11
- form.....	2.7-2.10
- invalid.....	2.12, 2.14-2.15, 2.18, 2.20
- notice of validly nominated candidates.....	2.13
- period.....	2.6
- procedure.....	2.7-2.10
- qualifications.....	2.2
- subscriber.....	2.8, 2.14, 2.18
- validity.....	2.12-2.20
- withdrawal.....	2.21
notification to RO regarding electioneering activities in a building.....	8.23
notification to the Police	
- public meeting (see also <i>public meeting</i> ).....	5.6-5.8
- public procession (see also <i>public procession</i> ).....	5.12
notice of	
- declaration of no canvassing zone (see also <i>no canvassing zone</i> ).....	1.54, 10.5-10.9
- nomination (see also <i>nomination of candidates</i> ).....	2.6, 2.13
- result of election (see also <i>counting station and result</i> ).....	1.102
- result of nomination of candidates.....	2.13
<b><i>o</i></b>	
opening of ballot box (see also <i>ballot box</i> ).....	1.92-1.93
ordinarily resided in Hong Kong.....	2.4
owners committee.....	4.2, 4.53, 8.1g-8.1h, 8.20
owners corporation.....	4.2, 8.1g-8.1h, 8.14-8.16, 8.20-8.21, 8.28
<b><i>p</i></b>	
paging machine.....	1.73, 3.34
performance report.....	4.3-4.4a
period for nomination (see also <i>nomination of candidates</i> ).....	2.6

permission/authorisation of display	
- display of election advertisement at private premises.....	4.9-4.10, 4.13, 4.17
- display of election advertisement on designated spots.....	4.9-4.10, 4.17, 4.20
personal data privacy, guidance note on electioneering activities.....	8.8, Appendix FI
photograph, introductory leaflet.....	2.23-2.24
photographing inside	
- ballot paper sorting station (see also <i>ballot paper sorting station</i> ).....	1.84
- counting station (see also <i>counting station</i> ).....	1.90
- polling station (see also <i>polling station</i> ).....	1.76
polling notices	
- contents.....	1.48
- date of sending.....	1.48
polling agent	
- appointment.....	3.24-3.26
- conduct inside polling station.....	3.34-3.35
- lodging of complaint inside polling station.....	3.41
- number.....	3.3
- qualification.....	3.4-3.5
- revocation.....	3.27
- role.....	3.28-3.33
polling day.....	1.3, 3.3
polling station	
- admission.....	1.56-1.57, 3.29-3.31
- allocation.....	1.47, 1.50
- a cluster of designated polling station.....	1.47
- canvassing activities forbidden.....	1.73, 1.76
- communication with electors inside.....	1.75
- conduct inside.....	1.73-1.76, 3.33-3.35
- conduct outside.....	1.54-1.55, 10.10-10.15
- designation.....	1.46-1.48
- persons with a disability.....	1.50
- photographing, filming and recording.....	1.76
- specially designated polling station.....	1.50
- re-allocation.....	1.50
posting arrangement of election advertisement (see <i>election advertisement</i> )	

presenters of TV, radio and movie,	
- guest presenter.....	6.9
- restrictions to appear in a programme.....	6.9-6.10
Presiding Officer (PRO)	
- after the close of poll.....	1.77
- assistance to incapacitated electors.....	1.72, 3.39
- before commencement of poll.....	1.52
- overseeing no canvassing zone.....	10.11, 11.4
- questioning electors before issuing ballot paper.....	1.62, 3.33
- recording complaint.....	17.9-17.10
- regulating number of persons inside polling station.....	1.56, 3.16
- reporting irregularities to the EAC.....	17.11, 17.17-17.18
print media (see also <i>media</i> )	
- advertising through.....	4.46, 6.13-6.15
- fair and equal treatment (see also <i>fair and equal treatment principle</i> ).....	6.4, Appendix D
printed election materials (see also <i>election advertisement</i> ).....	4.45-4.46, 13.12-13.14
printing details of election advertisement (see also <i>election advertisement</i> ).....	4.40, 4.45, 4.47-4.48
privacy of electors.....	8.8
private premises	
- display of election advertisement (see <i>election advertisement</i> and <i>fair and equal treatment principle</i> )	
- election meeting (see also <i>election meeting</i> ).....	5.5-5.5b, 5.8, 5.15-5.16,
- electioneering activities (see <i>electioneering activities</i> and <i>fair and equal treatment principle</i> )	
private spots for displaying election advertisement (see also <i>election advertisement</i> ).....	4.10, 4.13, 4.38, 8.24
procedure	
- complaints (see also <i>complaints</i> ).....	17.7-17.9
- nomination (see also <i>nomination of candidates</i> ).....	2.7-2.10
provisional register (PR)	
- abuse or misuse of information.....	1.26
- appeals.....	1.25
- contents.....	1.23
- date of publication.....	1.23

provisional register (PR) ( <i>Cont'd</i> )	
- public inspection.....	1.23
- reflection of changes of electors particulars.....	1.23
propaganda material (see also <i>badge, emblem, clothing or headwear</i> ).....	1.73, 10.10
public function.....	15.1-15.8
public fund-raising permits (see also <i>fund raising activities</i> ).....	5.19, Appendix C
public housing estates (see also <i>electioneering activities</i> ).....	Appendix BII
public meeting (see also <i>election meeting</i> )	
- notification.....	5.6-5.8
- prohibition.....	5.9
- responsibility of organiser.....	5.10
public observation inside counting station (see also <i>counting station</i> ).....	1.90
public procession.....	5.11-5.14
pupil involvement	
- canvassing activities (see also <i>canvassing activities</i> ).....	9.2-9.7
- sanction (see also <i>censure and reprimand</i> ).....	9.2, 9.10
<b>q</b>	
qualification	
- candidate (see also <i>candidate</i> ).....	2.2
- counting agent (see also <i>counting agent</i> ).....	3.4-3.5
- election agent (see also <i>election agent</i> ).....	3.4-3.5
- election expense agent (see also <i>election expense agent</i> ).....	3.4-3.5
- polling agent (see also <i>polling agent</i> ).....	3.4-3.5
- subscriber (see also <i>subscriber</i> ).....	2.8
- elector (see also <i>elector</i> ).....	1.8-1.14
questionable ballot paper (see also <i>ballot paper</i> ).....	1.96-1.98
<b>r</b>	
re-allocation of polling station (see also <i>polling station</i> ).....	1.50
recording inside	
- counting station (see also <i>counting station</i> ).....	1.90
- polling station (see also <i>polling station</i> ).....	1.76
re-count of votes.....	1.101-1.102
register	
- final register ( <i>see final register</i> )	

register ( <i>Cont'd</i> )	
- provisional register (see <i>provisional register</i> )	
Registration and Electoral Office (REO)	
- reporting irregularities to EAC	17.11, 17.17
regular columnists, restrictions to contribute articles	6.15
regular contributors, restrictions to appear in a programme	6.9
reprimand (see also <i>censure</i> )	
- breach of time restriction when using loud-hailers	7.4
- breach/non-compliance of the Guidelines	9.10, 13.29, 17.14
- corrupt and illegal conduct	13.29
- involving youths of school age	9.2, 9.10
- non-compliance with the guidelines	13.29, 17.14
- opportunity to make representations	17.14
- unauthorised display of election advertisements	4.52
- unauthorised electioneering at private premises	8.6
- unfair and unequal treatment	8.31-8.32
residents association	8.1i, 8.20
restricted zone	3.34
Resident Representative (RR)	
- no. of seats	1.4
resident representatives and indigenous inhabitant representatives	
- no. of seats	1.5
restrictions on	
- canvassing activities in no canvassing zone and no staying zone	1.54-1.55, 4.18, 10.10-10.15, 11.4, Appendix F
- presenters	6.9
- regular columnists	6.15
- regular contributors	6.9
- use of loud-hailers	1.54-1.55, 7.2-7.5, 7.8, 10.10, 10.12
result	
- declaration	1.102
- gazettal	1.102
- notice	1.102
return and declaration of election expenses and donations	
- court power to excuse innocent acts	13.24, 13.25
- delivery	12.23
- false information	12.36
- omissions and mistakes	12.26

return and declaration of election expenses and donations ( <i>Cont'd</i> )	
- penalty for non-compliance.....	12.35, 12.37
- public inspection.....	3.23, 12.30
- requirement.....	12.24
return of election deposit (see also <i>election deposit</i> ).....	4.22
Returning Officer (RO)	
- allocation of designated spots.....	4.16-4.17, 4.20-4.22, 4.24
- authorising other form of delivery of nomination form to RO.....	2.10
- authorising public officers to enter counting station.....	1.88
- authorising public officers to enter polling station.....	1.56
- decision on a ballot paper.....	1.98
- declaration of election result.....	1.102
- designation and declaration of no canvassing zone and no staying zone... .....	1.54, 10.3-10.9
- designation of designated spots.....	4.11-4.12, 4.16
- displaying notice of result.....	1.102
- handling complaints.....	4.52, 17.4, 17.9, 17.11-17.13
- opening of ballot box at counting station.....	1.92-1.93
- providing sketch maps of polling station and no canvassing zones...1.54	
- reporting irregularities to EAC.....	17.11, 17.17-17.18
Revising Officer.....	1.26-1.27
revocation	
- counting agent (see also <i>counting agent</i> ).....	3.44
- election agent (see also <i>election agent</i> ).....	3.9
- election expense agent (see also <i>election expense agent</i> ).....	3.20
- polling agent (see also <i>polling agent</i> ).....	3.27
role	
- counting agent (see also <i>counting agent</i> ).....	3.45
- election agent (see also <i>election agent</i> ).....	3.12
- election expense agent (see also <i>election expense agent</i> ).....	3.21
- polling agent (see also <i>polling agent</i> ).....	3.28
 <i>s</i>	
schools, electioneering activities.....	9.8-9.8
school pupils (see <i>pupil involvement</i> )	
sealing of ballot box (see <i>ballot box</i> )	

secrecy of the vote.....	1.57, 1.58, 1.89, 3.30, 3.47, 11.7
- exit poll (see also <i>exit poll</i> ).....	11.7
- inside a ballot paper sorting station.....	1.82
- inside counting station.....	1.89, 3.47
- inside polling station.....	1.57, 1. 1.58, 3.30
secrecy of voting (see <i>secrecy of the vote</i> )	
Secretary for Home Affairs	
- appointing date of election.....	1.30
- appointing Electoral Registration Officer.....	1.7
serial numbering of election advertisement (see also <i>election advertisement</i> )	
.....	4.36-4.38
singers, during election period.....	6.10
spoilt ballot paper, replacement (see also <i>ballot paper</i> ).....	1.69
subscriber	
- number required.....	2.8
- qualification.....	2.8
 <i>t</i>	
template (see also <i>visually impaired electors</i> ).....	1.65, 3.39
tenants association.....	8.1i, 8.20
tendered ballot paper (see also <i>ballot paper</i> ).....	1.70, 1.95
treating (see also <i>corrupt conduct</i> ).....	5.3, 13.16-13.19
TV and radio (see also <i>election broadcasting</i> and <i>election forums</i> ).....	6.2-6.8
types and numbers of agents.....	3.3
 <i>u</i>	
undue influence (see also <i>corrupt conduct</i> ).....	9.4, 13.20-13.21
unissued ballot paper (see also <i>ballot paper</i> ).....	1.77-1.78
unused ballot paper (see also <i>ballot paper</i> ).....	1.77
 <i>v</i>	
validity	
- ballot paper (see also <i>ballot paper</i> ).....	1.95-1.98
- nomination (see also <i>nomination of candidates</i> ).....	2.12-2.20

villages	
- types and numbers.....	1.3, 1.4
Village Representative (VR) (see also <i>Resident Representatives and Indigenous Inhabitant Representatives</i> )	
- no. of seats.....	1.5
video or audio recording inside	
- ballot paper sorting station (see also <i>ballot paper sorting station</i> ).....	1.84
- counting station (see also <i>counting station</i> ).....	1.90
- polling station (see also <i>polling station</i> ).....	1.76
visual deficiency (see also <i>incapacitated elector</i> ).....	1.72, 3.38
visually impaired electors	
- assistance to mark a ballot paper.....	1.72, 3.38
- template.....	1.68, 3.39
voluntary service.....	12.3, 12.18, 12.22
voting	
- corrupt conduct (see also <i>corrupt conduct</i> ).....	13.22
- disqualification.....	1.15
- eligibility.....	1.7
- marking of ballot paper (see also <i>ballot paper</i> ).....	1.66, 3.39
- number of vote allowed.....	1.60
- secrecy (see <i>secrecy of the vote</i> )	
- where.....	1.47-1.52
voting compartment.....	1.66-1.67
voting offences (see also <i>corrupt conduct</i> ).....	13.22
voting preference (see also <i>corrupt conduct</i> ).....	13.15-13.16
voting system	
- empty opaque bag.....	1.35
- first past the post system (see also <i>first past the post system</i> ).....	1.33

**w**

websites of candidates.....	4.2
withdrawal of candidate (see also <i>candidate; corrupt conduct and false statement</i> ).....	2.21, 13.4-13.7

[Amended in December 2009]