

CHAPTER 1

INTRODUCTION

Section 1 – The Office of the Fourth-term Chief Executive

1.1 The term of office of the third-term Chief Executive (“CE”) is due to expire on 30 June 2012. In accordance with the Basic Law and the Chief Executive Election Ordinance (Cap 569) (“CEEEO”), an election was required to be held to return a candidate for appointment to fill the vacancy in the office of the CE for a five-year term commencing on 1 July 2012. The poll was held on Sunday, 25 March 2012, and this date was fixed in accordance with section 10(1) of the CEEEO. Pursuant to section 12 of the CEEEO, the Secretary for Constitutional and Mainland Affairs (“SCMA”) published the polling date by a notice in the Gazette on 7 October 2011.

1.2 Annex I to the Basic Law provides that the CE shall be elected by the Election Committee (“EC”). As such, prior to the CE Election, EC subsector (“ECSS”) Elections were required to be held to constitute an EC for electing the fourth-term CE. The ECSS Elections were held on 11 December 2011. The new term of the EC commenced on 1 February 2012.

Section 2 – The Scope of the Report

1.3 The Electoral Affairs Commission (“EAC”) is required under section 8(1), (5) and (6) of the Electoral Affairs Commission Ordinance (Cap 541) (“EACO”) to submit a report on both the 2012 CE Election and the 2011 ECSS Elections to the CE within three months of the conclusion of the CE Election.

1.4 This report describes how the EAC conducted and supervised the various stages of the two elections. It sets out the relationship between the two elections and the legislative framework and electoral guidelines governing the elections. It also covers the detailed electoral arrangements for the two elections, gives an account of the complaint cases received in respect of the elections and puts forth the recommendations by the EAC for future improvements.