

CHAPTER 8

POLLING AND COUNTING ARRANGEMENTS FOR THE CHIEF EXECUTIVE ELECTION

Section 1 – Recruitment of Polling/Counting Staff

8.1 In view of the relatively small number of EC members and the fact that there would only be one main polling station, one counting station and the very limited number of DPSs expected to be set up in the CE Election, the REO deployed about 450 staff members to serve as polling and counting staff on the polling day, and did not launch any service-wide recruitment exercise as in other elections.

Section 2 – Training for Polling/Counting Staff

8.2 To equip the recruited staff with the necessary knowledge and skills for discharging their duties, two general briefing sessions were organised on 12 and 13 March 2012 at the Queen Elizabeth Stadium. On-site rehearsals and briefing sessions were also conducted on 23 and 24 March 2012 at the venue prior to the polling day, so that staff of different functional units would be familiar with the venue and operation of the electoral process. Operational manuals were also compiled for the reference of the officers, with one set designated for the PROs, DPROs and APROs, and another set for Polling Officers and Polling Assistants.

Section 3 – Identifying Venue as Stations

8.3 REO started to identify suitable venues for the CE Election as early as 2007. As a result of an extensive search, REO managed to reserve the Grand Hall on Level 3 (about 6,000 m²) and Halls F and G on Level 5 (about 9,000 m²) of the HKCEC for use as the main polling station and the central counting station respectively for the CE Election. With a total area of about 15,000 m², these conference halls altogether provided a conveniently located and spacious venue, which was accessible to disabled electors, on the dates required for the conduct of the election. Dedicated routes were identified for the transportation of the ballot boxes from the main polling station to the central counting station after the close of poll and for the EC members who wished to go to the central counting station to observe the count after casting their votes.

Section 4 – Polling Arrangements

Polling hours

8.4 The first round of voting in a contested election (or the poll in an uncontested election) were scheduled to be held from 9:00 am to 11:00 am. Should there be a need for more than one round of voting, the second and third rounds of voting will be held from 2:00 pm to 3:00 pm and from 7:00 pm to 8:00 pm respectively on the same day.

8.5 In the event that there was a need for the fourth round or further rounds, it would be held on the following day (i.e. 26 March 2012). For each round of voting, the count would be conducted right after the poll.

The main polling station

8.6 To avoid long queues towards the close of polling hours, 33 ballot paper issuing desks and 59 voting compartments (including three for the disabled) were set up in the main polling station. Similar to all other elections, an area immediately outside the main polling station was designated as the NCZ and the NSZ. Right outside the main polling station, there was a waiting area for EC members who arrived before the polling hours, and a resting area was provided for EC members who had cast their votes. Apart from displaying the candidates' introductory leaflets at each voting compartment inside the main polling station, an enlarged version of the leaflets were also posted near the entrance of the main polling station.

8.7 In anticipation that demonstration activities might be organised in the vicinity of the venue, Designated Public Activity Areas were delineated by the Police outside the main polling station on the polling day. As security and accessibility by EC members were crucial to the smooth running of the election, the REO worked closely with the Police and the venue management on security and traffic management matters. To enhance the security inside the HKCEC, access control points were set up at the Expo Drive Entrance and on various levels of the HKCEC along the dedicated passageways leading to the main polling station and the central counting station. EC members were each provided with a name badge printed with a barcode for easy identification on the polling day. An EC member was required to display his/ her name badge when entering the HKCEC and the barcode printed thereon would be scanned before he/ she would be permitted to past through these access control points.

Polling notice

8.8 In accordance with the legal requirement, the REO sent to each EC member a polling notice 10 days before the polling day. The polling notice was issued to EC members together with a letter from the CEO to provide them with essential information on the election. The letter also appealed to the EC Members that they were not allowed to communicate with others, in particular to show their votes on the ballot papers to others, and to film, take photograph, make any audio or video recording inside the polling station, or to remove a ballot paper from the polling stations.

8.9 The package sent to each EC member included the polling notice as required by the law (which contained such information as the polling date, address of the main polling station and polling hours), location map of the main polling station and central counting station, detailed voting instructions as well as polling and counting procedures. Besides, a map showing the extent of the NCZ of the main polling station, the Introduction to the Candidates and an ICAC booklet were also included in the package.

8.10 For security reasons and for easy identification of the EC members, the package sent to each EC members also included a name badge with a unique barcode for the EC member, as mentioned in paragraph 8.7 above. In addition, there were a transportation map showing the designated drop-off and pick-up points and a vehicle entry permit for EC members who came in private vehicles or taxis. To facilitate the assessment of the likely traffic condition of HKCEC on the polling day and activate necessary arrangements with the Police beforehand, EC members were requested to complete a survey form on the mode of transport which they would use to arrive at the main polling station. The EC members were also invited to provide their or their assistants' mobile

phone numbers and/or email addresses to facilitate the dissemination of latest information on electoral arrangements and/or contingency measures by SMS or email in case of need on the polling day.

Design of ballot papers

8.11 The design of ballot papers followed the form set out in the EP (CEE) Reg. As more than one round of voting might be required, ballot papers to be used in different rounds were differentiated by different colours.

Voting procedures

8.12 An EC member had to mark the ballot paper inside the voting compartment by using the “✓” chop provided. After marking the ballot paper, the EC member would be required to fold the ballot paper so that the marked side was concealed, and then put the folded ballot paper into the ballot box. The Guidance to Electors on the Voting Procedure was posted inside the polling stations and each voting compartment.

8.13 After casting their votes, EC members could proceed to the central counting station to observe the count or leave the venue. EC members were however encouraged to observe the count and stay until the counting result was known, so that they could proceed to the polling station for another round of voting, if required.

Special Polling Arrangements for Imprisoned, Remanded and Detained electors

8.14 To enable electors who were imprisoned or remanded by the CSD on the polling day to vote, DPSs were planned to be set up at penal institutions of

the CSD. The CSD advised the REO on 24 March 2012 (i.e. the day before the polling day) that no elector was imprisoned or remanded by the CSD. Hence, there was no need to set up DPSs in penal institutions.

8.15 A DPS was set up at Happy Valley Police Station for the electors who were remanded or detained by the LEAs (other than the CSD) on the polling day and expressed their wish to vote. Since the LEAs might arrest persons who happened to be electors any time on the polling day, the polling hours of the DPS were the same as that of the main polling station.

8.16 The venue set-up at the DPS was basically the same, but of a smaller scale, as that of the main polling station, except that the polling materials were specially designed for security reason.

Section 5 – Counting Arrangements

The central counting station

8.17 The central counting station comprised a counting zone, a seating area for EC members, a working area for the media and a seating area for members of the public who wished to observe the counting of votes. Each candidate was allocated a room inside the central counting station.

The counting procedures

8.18 The ballot papers were counted manually. If any of the candidates obtained more than 600 valid votes cast in any round of voting, he would be returned at the CE Election. If another round of voting was required, the RO would make a public announcement through the electronic media, SMS and

email (for those EC members who had provided REO with their mobile phone numbers and email addresses) and the large display boards set up at both the Expo Drive and Harbour Road Entrances of the HKCEC. EC members who had left the venue were advised to keep a close watch of such announcement and return to the main polling station in time to cast their votes. Alternatively, they might enquire through the REO Hotline and visit the dedicated website for the CE Election on the need to return for another round of voting.

8.19 When the count started, the PRO assumed the role of counting supervisor, i.e. the officer overseeing the counting process. The RO was responsible for determining the validity of questionable ballot papers.

Section 6 – Preservation of the Secrecy of the Votes

8.20 As reported in the media before the polling day, there was concern about the preservation of secrecy of the votes. Specifically, there were speculative reports hinting that the voting process inside the voting compartments could be recorded by some hidden recording devices leading to the disclosure of EC members' choice. Questions were also raised as to whether it was possible to identify the EC members from the votes cast and whether there would be adequate measures to prevent photo-taking of the marked ballot papers as mobile phones were commonly equipped with photo-taking functions and could be brought along by the EC members inside the main polling station. In view of the aforesaid concerns, both the EAC and the Administration went to great lengths in driving home the message of the secrecy of the votes and that there were adequate legislative provisions and effective electoral measures to preserve the secrecy of the votes and, to guard against possible corrupt or illegal acts. Specifically, SCMA explained at the LegCo meeting held on 22 March 2012 that the Government, EAC and LEAs

had all along been performing their duties strictly in accordance with the provisions of the Basic Law and the relevant electoral legislation, regulation and guidelines, with a view to ensuring that all elections, including the CE Election, were conducted in a fair, just, clean and honest manner. In particular, there were provisions under the ECICO prohibiting corrupt and illegal conduct in the CE Election and, inter alia, the use of force or duress to influence a person's voting preference. Should any complaint about the breach of the ECICO received by the EAC and the relevant LEAs, it would be handled seriously.

8.21 SCMA also explained at the same meeting that photo-taking or video recording inside the polling stations would be prohibited and the ballot papers, voting compartments as well as the voting and counting process were all designed to ensure the secrecy of the votes. He also emphasised that the Government would not tolerate any conduct in the polling stations violating the legislation and would take immediate enforcement action according to the law.

8.22 In parallel, in consultation with the EAC Chairman and CMAB, the REO implemented the following measures in the CE Election to allay the public concern about the secrecy of the votes:

- (a) shortly before the poll, the REO issued letters to EC members reminding them that in accordance with the relevant electoral legislation, it would be an offence to communicate with other people on voting matters, to film, take photos and to make audio or video recording inside the polling station, and to remove a ballot paper from the polling station. Notices were also prominently put up at the ballot paper issuing desks and inside the voting compartments to remind EC members of these requirements;

- (b) the REO arranged for additional polling staff to perform ushering duties inside the main polling station and, in particular, to monitor the voting process to ensure strict compliance with the above-mentioned requirements. For prudence's sake, polling staff guarding the entrance of the main polling station also made their best efforts to remind and appeal to EC members to turn off their mobile/ telecom devices before entering the main polling station;
- (c) a venue security search was conducted by the Police of the Grand Hall on Level 3 and Halls F and G on Level 5 of the HKCEC, where the main polling station and the central counting station were located, on the evening prior to the polling day;
- (d) owing to the considerable headroom of the Grand Hall of the HKCEC and the existence of many overhead facilities/devices therein, the REO arranged to install a cover on top of each of voting compartments as an additional precaution against overhead surveillance activities and, also, to boost public confidence in voting secrecy; and
- (e) while all surveillance cameras inside the main polling station were either removed or switched off beforehand, the REO arranged for the control room monitoring the operation of these surveillance devices to be guarded by public officers throughout the poll.

8.23 Furthermore, when meeting the media in the morning of 24 March 2012 (i.e. one day before the polling day), the EAC Chairman took the opportunity to appeal to the EC members, once again, to heed the legislative requirements mentioned in paragraph 8.22 (a) above. At the media session, in response to questions concerning allegations of improper canvassing activities,

the EAC Chairman emphasised the freedom to vote and secrecy of ballot were the two major principles underpinning Hong Kong's electoral system. An EC member was in no circumstances obliged to disclose his choice of the candidate and there were clear legislative provisions prohibiting the use of or the threat to use 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. In addition, the EAC Chairman pointed out that according to the law, no person shall communicate to another person any information obtained in a polling station as to which candidate an EC member was about to vote for or had voted for. No person shall also directly or indirectly induce an EC member to display a ballot paper marked by the EC member so as to make known to any person any information as to which candidate the EC member had voted for. He assured that sufficient staff would be deployed inside the main polling station to maintain order and ensure voting secrecy. Subsequently, a press release was issued.

Section 7 – Contingency Measures

8.24 To cater for any unforeseen circumstances such as inclement weather or other emergencies such as fire or power failure, preparations were made for the following contingencies:

- (a) the possibility of any postponement or adjournment of the poll, or the count in the central counting station;
- (b) in relation to (a) above, the need for resumption of an adjourned poll or an adjourned count, as the case may be; and
- (c) the possibility of activating alternative polling stations when access to the main polling station was blocked by flooding, fire or other

emergencies that rendered the main polling station inoperable.

8.25 To ensure the smooth conduct of the poll, the REO further put in place the following contingency measures to cater for any unforeseen circumstances:

- (a) stocking of extra ballot papers, ballot boxes, etc at the HKCEC and REO's Offices to cater for emergency situation;
- (b) booking of vehicles for delivery of equipment and emergency transport of EC members and staff;
- (c) close monitoring of the flow of traffic to and in the vicinity of the HKCEC on the polling day, with the assistance of relevant government departments and authorities;
- (d) securing back-up electricity supply by the EMSD to ensure that the poll and the count could be continued in the HKCEC in the case of power disruption; and
- (e) making full preparation for making public announcements of the implementation of any emergency arrangements (including inviting the EC members to provide their mobile phone numbers and email addresses, on a voluntary basis, to facilitate any emergency contact).