

CHAPTER 2

THE LEGISLATION AND THE GUIDELINES

Section 1 – The Electoral Legislation

Ordinances and Subsidiary Legislation

2.1 The supervision and conduct of the 2016 ECSS Ordinary Elections and 2017 CE Election are governed by the following ordinances:

- (a) the EACO which empowers the EAC to perform its various functions in the conduct and supervision of the elections;
- (b) the CEEO which provides the legal basis for conducting the elections; and
- (c) the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (“ECICO”) which prohibits election-related corrupt and illegal matters which is administered by the Independent Commission Against Corruption (“ICAC”).

2.2 The above ordinances are complemented by the following 11 pieces of subsidiary legislation which stipulate the detailed procedures for the conduct of the elections:

- (a) the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election

Committee) Regulation (Cap. 541B) (“EAC (ROE) (FCSEC) Reg”);

- (b) the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541H) (“EAC (NAC) (EC) Reg”);
- (c) the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I) (“EAC (EP) (EC) Reg”);
- (d) the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J) (“EP (CEE) Reg”);
- (e) the Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554A);
- (f) the Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554I);
- (g) the Election Committee (Appeals) Regulation (Cap. 569A);
- (h) the Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569B);
- (i) the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569C);

- (j) the Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569D); and
- (k) the Chief Executive Election (Election Petition) Rules (Cap. 569E).

Legislative Amendments

2.3 The following ordinances and subsidiary legislation have been amended after the 2012 CE Election, and they are applicable to these elections.

Electoral Legislation (Miscellaneous Amendments) Bill 2012

2.4 The Government introduced the Electoral Legislation (Miscellaneous Amendments) Bill 2012 to the Legislative Council (“LegCo”) on 3 February 2012. In proposing to amend various pieces of legislation, the Bill sought to introduce changes to the regulatory regime of election advertisements (“EAs”), amendments relating to organisations which were constituents of several subsectors of the EC, and technical amendments to the ECICO. The amendments relating to the 2016 ECSS Ordinary Elections and 2017 CE Election include the following items:

- (a) amending the relevant EAC Regulations to specify the relaxed public inspection requirements of EAs, including the lifting of the previous requirement of ex ante declaration by candidates, and allowing candidates to upload their EAs onto an open platform operated through the Internet within 1 working day after the publication for public inspection; and

- (b) providing that a candidate is not required to obtain prior written consent from those who give support in his/her EAs if the candidate has neither requested or directed, nor authorised any other person to request or direct, the inclusion of the support in the EAs.

2.5 The Electoral Legislation (Miscellaneous Amendments) Bill 2012 was passed by the LegCo on 9 May 2012.

Electoral Legislation (Miscellaneous Amendments) Bill 2014

2.6 The Government introduced the Electoral Legislation (Miscellaneous Amendments) Bill 2014 to the LegCo on 11 April 2014, proposing to improve the voter registration (“VR”) arrangements and electoral procedures. The amendments relating to the ECSS elections and CE election include the following items:

- (a) including in the omissions list (“OL”) electors who have voluntarily requested de-registration. If the elector subsequently changes his/her mind and wants to be included in the final register (“FR”) again, he/she may lodge a notice of claim to request reinstatement of his/her registration after publication of the OL in accordance with the existing procedures. A de-registered elector may also apply for registration as an elector again at any time;

- (b) extending the claims and objections period by advancing the deadline for VR application by 14 calendar days, i.e. the VR application deadline be advanced from 16 May to 2 May in a non-District Council (“DC”) election year and from 16 July to 2 July in a DC election year. In order to allow sufficient time for the Revising Officer to complete the review process, in extending the claims and objections period by 14 calendar days, 10 calendar days would be provided for the public to inspect the provisional register (“PR”) and OL, and 4 calendar days would be provided for the Revising Officer to process the expected increase in claims and objections as a result of the extension of the claims and objections period;
- (c) removing the 6-month limitation period for prosecution applicable to the relevant offences of making false or incorrect statement knowingly or recklessly or making material omission knowingly in relation to VR under the relevant electoral legislation by making such offences indictable; and
- (d) aligning the Chinese translation of “printed election advertisement” under different provisions in the Chinese version of the ECICO.

2.7 In June 2014, the Government introduced Committee Stage Amendments to the Bill mentioned above. The amendments relating to the ECSS elections and CE election include the following items:

- (a) changing the Chinese title of OL from “遭剔除者名單” to “取消登記名單” to better reflect the nature of the OL, i.e. consisting of
 - (i) electors for whom the Electoral Registration Officer (“ERO”) is satisfied on reasonable grounds that they have ceased to be eligible for registration, and
 - (ii) electors who have voluntarily requested the ERO to remove them from the voter register; and

- (b) spelling out clearly that the ERO, upon receipt of a signed written notice of de-registration from an elector, will issue a notice by registered post to inform him/her that his/her entry will be omitted in the next FR. Moreover, setting out the general principle in handling the elector’s request for de-registration voluntarily, i.e. the ERO will include an elector’s entry in the OL on the basis of his/her request for de-registration if in the ERO’s opinion the elector concerned has been informed of the ERO’s intention to omit the elector’s entry from the next FR.

2.8 The Electoral Legislation (Miscellaneous Amendments) Bill 2014 was passed by the LegCo on 10 July 2014. Except for the amendments to the Electronic Transactions (Exclusion) Order which were implemented on 1 January 2015, other amendments came into effect on the day of publication in the Gazette (i.e. 18 July 2014).

Electoral Legislation (Miscellaneous Amendments) Bill 2015

2.9 The Government introduced the Electoral Legislation (Miscellaneous Amendments) Bill 2015 to the LegCo on 17 April 2015. The Bill made technical amendments in respect of the name of a subsector, the list of constituents of a subsector and the registration of voters for a subsector for the

2016 ECSS Ordinary Elections. The amendments relating to the ECSS elections and CE election include the following items:

- (a) updating the list of constituents of the “Higher Education” subsector;
- (b) amending the name of the “Architectural, Surveying and Planning” subsector to “Architectural, Surveying, Planning and Landscape” subsector; and
- (c) amending the eligibility for registering as a voter for the “Sports, Performing Arts, Culture and Publication” subsector.

2.10 The Electoral Legislation (Miscellaneous Amendments) Bill 2015 was passed by the LegCo on 13 July 2015. The amendments came into effect on the day of publication in the Gazette (i.e. 17 July 2015).

Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015

2.11 The Government introduced the Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015 to the LegCo for making necessary technical amendments to various pieces of electoral legislation on 11 December 2015. The amendments relating to the ECSS elections and CE election include the following items:

- (a) aligning the deadlines for submitting the return and declaration of election expenses and election donations for all candidates in the same election;

- (b) making necessary technical amendments to the electorate of the EC subsectors as follows:
 - (i) introducing 1 new body into the “Higher Education” subsector;
 - (ii) changing the names of 11 bodies in the “Transport”, “Financial Services” and “Sports, Performing Arts, Culture and Publication” subsectors; and
 - (iii) removing 7 bodies from the “Agriculture and Fisheries” and “Transport” subsectors which have ceased operation since the last updating exercise;
- (c) aligning the electoral arrangements of the ECSS elections and CE election with the other public elections, including:
 - (i) introducing specific provisions to clarify that a statutory deadline for VR and electoral procedural matter which falls on a working day should be extended to the following working day when a gale warning or black rainstorm warning is in force through or for any part of the ordinary business hours of the relevant authorities on the day of the deadline, so as to compensate for the time lost for completing the relevant acts or proceedings;

- (ii) clarifying that the acts which an election agent can perform on behalf of a candidate exclude the signing of election return as required under the ECICO;
- (iii) specifying the means of delivery of notice of appointment and notice of revocation of appointment of election/election expense/polling/counting agent and application for allocation to a special polling station, and adding electronic mail as means of delivery of the above notices and certain other notices;
- (iv) aligning the fallback period for holding an election, poll or count to 14 days in case it is necessary to postpone an election or adjourn a poll or count due to riot, open violence or other occurrence of public danger; a typhoon or other climatic condition of a serious nature; or an occurrence which appears to be a material irregularity;
- (v) including an express provision to cover postponement of an election or adjournment of poll or count owing to occurrence of public health danger;
- (vi) amending the definition of ordinary business hours so that Saturday mornings (other than general holidays) during the period from the date of gazettal of an election notice or by-election notice to the date of gazettal of election result are regarded as ordinary business hours, and outside that period, the term does not cover Saturday mornings; and

(vii) specifying the deadline (at least 10 days before the polling day) for publishing a list of polling and counting stations in the Gazette, and indicating on the list which of these polling stations are special polling stations; refining the wording about designation of special polling stations; and advancing the deadline for the Returning Officer (“RO”) to give notice to candidates about the place(s) of counting of votes from at least 1 working day before the polling day to at least 10 working days before the polling day.

2.12 The Electoral Legislation (Miscellaneous Amendments) (No. 2) Bill 2015 was passed by the LegCo on 2 June 2016. The amendments came into effect on the day of publication in the Gazette (i.e. 10 June 2016).

Amendment Regulations Made by the Electoral Affairs Commission

2.13 On 26 November 2015, the Constitutional and Mainland Affairs Bureau (“CMAB”) issued the Consultation Document on Enhancement of VR System to consult the public on a series of proposed measures to enhance the VR system. In the light of the outcomes of the public consultation, the EAC made amendments to 3 regulations under the EACO. Amongst which, the amendments made to the EAC (ROE) (FCSEC) Reg are related to the ECSS elections and CE election. These amendments are as follows:

- (a) advancing the statutory deadline for applying for change of registration particulars to align with the deadline for new VR registration; and

- (b) using surface mail instead of registered post for the sending of inquiry letters and other electoral notifications issued by the ERO.

2.14 The Amendment Regulations were tabled at the LegCo on 27 January 2016 for negative vetting and came into effect on 18 March 2016.

Maximum Amount of Election Expenses (Chief Executive Election) (Amendment) Regulation 2016

2.15 At the meeting of the Executive Council on 16 February 2016, the CE in Council ordered that the Maximum Amount of Election Expenses (Chief Executive Election) (Amendment) Regulation 2016 should be made under section 45 of the ECICO to increase the limit of election expenses that may be incurred by a candidate for the CE election from \$13 million to \$15.7 million.

2.16 The Amendment Regulation was tabled at the LegCo on 24 February 2016 for negative vetting and came into effect on 15 April 2016.

Section 2 – Electoral Guidelines

2.17 The EAC is empowered under section 6(1)(a) of the EACO to issue electoral guidelines to facilitate the conduct and supervision of an election. The purpose of issuing electoral guidelines is to ensure that all public elections are conducted in an open, fair and honest manner. The electoral guidelines provide guidance in layman’s language on compliance with the relevant electoral legislation. They also provide a code of conduct based on the principle of fairness and equality for conducting election-related activities.

2.18 The EAC has at all times made its best endeavours to refine the electoral arrangements. Before each election, the EAC will update the electoral guidelines. The updating is done on the basis of the existing guidelines, taking into account amendments to the electoral legislation as well as the experience of previous elections. Before the issuance of each set of guidelines, a public consultation will be conducted in accordance with the EACO, during which representations on the proposed guidelines are invited from the public and all parties concerned. A public forum, at which the EAC will listen to views from members of the public, will also be held. The views received during the public consultation period will be taken into account before finalising the guidelines for issuing to the public.

Guidelines for the ECSS Elections

2.19 In December 2015, the EAC started updating the Guidelines on Election-related Activities in respect of the ECSS Elections (“the ECSS Elections Guidelines”) applicable to the 2016 ECSS Ordinary Elections. The proposed ECSS Elections Guidelines have been prepared on the basis of the most recent version of the ECSS Elections Guidelines (October 2011 edition) and by making reference to the Guidelines on Election-related Activities in respect of the DC Election published in September 2015 and the Guidelines on Election-related Activities in respect of the LegCo Election published in June 2016. Apart from reflecting the legislative amendments in respect of the ECSS elections as mentioned in this Chapter, the revisions also took into account the operational experience gained from previous elections, including the 2015 DC Ordinary Election and the 2016 LegCo General Election, as well as suggestions in respect of these elections from the public and other parties concerned.

2.20 The major changes made in the proposed ECSS Elections Guidelines, as compared with the ECSS Elections Guidelines issued in October 2011, include:

(I) Changes caused by amendments to electoral legislation

- (a) updating the constituents of the EC subsectors;
- (b) revising the key dates of the VR timeframe;
- (c) aligning the deadline for change of registration particulars with the deadline for new registration;
- (d) specifying a deadline for gazetting the list of polling stations and counting stations, and revising the deadline for the RO to give notice to candidates about the specified place(s) and time for the counting of votes;
- (e) updating the guidelines to include the use of electronic mail as a means of delivery of certain electoral documents, including notices of appointment and revocation of appointment of election agents, election expense agents, polling agents and counting agents;
- (f) setting out the simplified arrangements for submission of EAs for public inspection; and
- (g) aligning the deadlines for submitting the return and declaration of election expenses and election donations for all candidates in the same election.

(II) Changes made in the light of operational experiences from and suggestions received in previous elections

- (a) reminding any person or organisation publishing materials to appeal directly or indirectly to voters to vote or not to vote for certain candidates or candidates of certain organisations to observe the legislative requirements for incurring election expenses on behalf of candidates since the materials may be capable of being understood as referring to certain identified candidates;
- (b) reminding candidates and internet users that the statutory definition of EA is very wide and encompasses anything published publicly by any means, including a message published through internet platforms for promoting the election of a candidate or prejudicing the election of other candidates;
- (c) reminding any person who intends to stand as a candidate at the election to remove all publicity materials published by him/her prior to the election period before he/she has been nominated as a candidate or has publicly declared an intention to run for the election. Otherwise, any such unremoved publicity material may be regarded as an EA;
- (d) reminding candidates to follow the application guidelines issued by the Lands Department (“LandsD”) for temporary occupation of Government land for holding electioneering activities;

- (e) updating the guidelines issued by the Office of the Privacy Commissioner for Personal Data (“PCPD”) to remind candidates to adopt security measures when transferring personal data of voters to election agents or other contractors for electioneering purposes;
- (f) setting out 4 cases as suggested by PCPD to facilitate better understanding of the privacy concerns of the voters/authorised representatives (“ARs”) and compliance with the requirements of the Personal Data (Privacy) Ordinance (Cap. 486) (“PDPO”);
- (g) requesting candidates to respect voters’ privacy when using their contact information for canvassing and reminding them to use the “bcc” option of email or other proven means to prevent inadvertent disclosure of email addresses when distributing EAs to voters over email;
- (h) reminding the office bearers of building organisations not to abuse their positions in the organisations to give unfair treatment to any candidate in the conduct of electioneering or canvassing activities in the buildings concerned, especially when the office bearers themselves are candidates in the election;
- (i) elaborating on the requirement of the fair and equal treatment principle to be observed by licensed broadcasters in producing and conducting election-related and news reporting programmes, and reminding the print media to ensure that any news reporting or references made in their publications should not give unfair

publicity to any particular candidate in accordance with the fair and equal treatment principle;

- (j) updating the administrative procedures in approving applications for the conduct of exit polls and the enhanced measures to be adopted to ensure the fairness of election;
- (k) reminding candidates of the need of apportionment of expenses between election-related purposes and any other purposes;
- (l) reminding candidates, or any person or organisation acting as an agent for the candidate(s), to comply with all the legislative requirements in seeking or soliciting election donations and to adopt the suggested good practices in Appendix T; and
- (m) setting out clearly the guidelines for giving consent of support when the office title of the supporter providing the consent and/or the name of the organisation concerned are mentioned.

2.21 In accordance with section 6(2) of the EACO, the EAC conducted a 30-day public consultation from 11 May to 9 June 2016. As in the past, a “Message from the Chairman” enclosed in the proposed ECSS Elections Guidelines highlighted the major changes set out in paragraph 2.20 above and explained the consultation mechanism, hence providing a more focused basis for the public to give their views. During the consultation period, the public could submit their written representations on the proposed ECSS Elections Guidelines to the EAC. The EAC held a public forum on 24 May 2016 from 7:30 pm to 9:00 pm at the Shek Kip Mei Community Hall to receive views from the

attendees. A total of 24 persons attended the above public forum. Before the close of the public consultation period, the proposed ECSS Elections Guidelines were discussed by the LegCo Panel on Constitutional Affairs. The EAC had considered the 21 views, received during the public consultation period, including written representations, oral representations and views of the LegCo Members before finalising the ECSS Elections Guidelines.

Section 3 – Changes after the Public Consultation

2.22 After considering all the views received during the public consultation period, the EAC made a number of amendments to the proposed ECSS Elections Guidelines.

2.23 Among the views received by the EAC, many expressed concerns about the stipulations on the publication of EAs in paragraphs 8.3 and 8.4 of the proposed ECSS Elections Guidelines. Some members of the public considered that the statutory definition of EAs was too wide. They were worried that election-related messages published on the internet platform would be regarded as EAs and hence would have to be in compliance with the relevant legal requirements, resulting in a restriction on their freedom of speech. The EAC understood the concerns of the public and had forwarded the views received to the relevant bureau for consideration as the review of the relevant primary legislation was outside the purview of the EAC. The relevant bureau had indicated that it would look into the matter.

2.24 Furthermore, there were views that the current duration of the polling hours for the major public elections (from 7:30 am to 10:30 pm) was too long

and consideration might be given to shortening the polling hours for the ECSS elections on a trial basis. After considering this proposal, the EAC considers that before thorough discussion and public consultation had been held on this issue, no change should be taken hastily so as to avoid any adverse impacts on the election. As such, the existing arrangement on the polling hours, i.e. starting at 7:30 am and closing at 10:30 pm, eventually remained unchanged. The EAC will examine the issue and where necessary, put forward proposals for public consultation before the next election cycle.

2.25 The EAC issued a press release on 23 September 2016 for the publication of the final ECSS Elections Guidelines. The ECSS Elections Guidelines were made available for public access at the EAC website and for distribution at the Home Affairs Enquiry Centres and the Registration and Electoral Office (“REO”) on the same date. Each candidate for the election was provided with the ECSS Elections Guidelines in CD-ROM format for reference at the time of submission of his/her nomination form.

Guidelines for CE Election

2.26 For the 2017 CE Election, the EAC published the proposed Guidelines on Election-related Activities in respect of the CE Election (“the CE Election Guidelines”) for public consultation from 13 to 26 June 2016. The proposed CE Election Guidelines have been prepared on the basis of the most recent version of the CE Election Guidelines (November 2011 revised edition). Apart from drawing reference from the changes made in other election guidelines, revisions to the CE Election Guidelines were also made in the light of operational experience gained, as well as suggestions received from the public

and other parties concerned in recent elections. The revisions also reflected the legislative amendments in respect of the CE Election mentioned in this Chapter.

2.27 The major changes made in the proposed CE Election Guidelines, as compared with the CE Election Guidelines issued in November 2011, include:

(I) Changes caused by amendments to electoral legislation

- (a) specifying a deadline for gazetting the polling stations and the counting station;
- (b) updating the guidelines to include the use of electronic mail as a means of delivery of certain electoral documents, including notices of appointment and revocation of appointment of election agents, election expense agents, polling agents and counting agents;
- (c) setting out the simplified arrangements for submission of EAs for public inspection; and
- (d) revising the maximum amount of election expenses that may be incurred by a candidate for the CE election.

(II) Changes made in the light of operational experience from and suggestions received in previous elections

- (a) reminding any person or organisation publishing materials to appeal directly or indirectly to electors to vote or not to vote for a candidate or candidates of certain organisations to observe the

legislative requirements for incurring election expenses on behalf of candidates since the materials may be capable of being understood as referring to certain identified candidates;

- (b) reminding candidates and internet users that the statutory definition of EAs is very wide and encompasses anything published publicly by any means, including a message published through internet platforms for promoting the election of a candidate or prejudicing the election of other candidates;
- (c) reminding any person who intends to stand as a candidate at the election to remove all publicity materials published by him/her prior to the election period before he/she has been nominated as a candidate or has publicly declared an intention to run for the election. Otherwise, any such unremoved publicity material may be regarded as an EA;
- (d) reminding candidates to follow the application guidelines issued by the LandsD for temporary occupation of Government land for holding electioneering activities;
- (e) updating the guidelines issued by PCPD to remind candidates to adopt security measures when transferring personal data of electors to election agents or other contractors for electioneering purpose;

- (f) setting out 4 cases as suggested by PCPD to facilitate better understanding of the privacy concerns of the electors and compliance with the requirements of the PDPO;
- (g) requesting candidates to respect electors' privacy when using their contact information for canvassing and reminding them to use the "bcc" option of email or other proven means to prevent inadvertent disclosure of electors' email addresses when distributing EAs to electors over email;
- (h) reminding the office bearers of building organisations not to abuse their positions in the organisations to give unfair treatment to any candidate in the conduct of electioneering or canvassing activities in the buildings concerned, especially when the office bearers themselves are candidates in the election;
- (i) elaborating on the requirement of the fair and equal treatment principle to be observed by licensed broadcasters in producing and conducting election-related programmes, reminding the print media to ensure that any news reports or references made in their publications should not give unfair publicity to any particular candidate in accordance with the fair and equal treatment principle;
- (j) updating the administrative procedures in approving applications for the conduct of exit polls and the enhanced measures to be adopted to ensure the fairness of election;

- (k) reminding candidates of the need of apportionment of expenses between election-related purposes and any other purposes;
- (l) reminding candidates, or any person or organisation acting as an agent for the candidate(s), to comply with all the legislative requirements in seeking or soliciting election donations and to adopt the suggested good practice in Appendix R; and
- (m) setting out clearly the guidelines for giving consent of support when the office title of the supporter providing the consent and/or the name of the organisation concerned are mentioned.

2.28 In accordance with section 6(2) of the EACO, the EAC conducted a 14-day public consultation from 13 to 26 June 2016. As in the past, a “Message from the Chairman” enclosed in the proposed CE Election Guidelines highlighted the major changes set out in paragraph 2.27 above and explained the consultation mechanism, hence providing a more focused basis for the public to give their views. During the consultation period, the public could submit their written representations on the proposed CE Election Guidelines to the EAC. The EAC held 1 public forum on 16 June 2016 from 7:30 pm to 9:00 pm at the Quarry Bay Community Hall to receive views from the attendees. A total of 25 persons attended the above public forum. Before the close of the consultation period, the proposed CE Election Guidelines were discussed by the LegCo Panel on Constitutional Affairs. The EAC had considered the 21 representations received during the public consultation period, including written representations, oral representations and the views of LegCo Members before finalising the CE Election Guidelines.

2.29 After considering all the views received during the public consultation period, the EAC revised the proposed CE Election Guidelines in further elaborating the practice on the use of public resources by an incumbent CE in seeking a second term. Moreover, in order for each CE candidate to confirm that he/she fully understood the contents of the Basic Law, in signing the relevant declaration, in particular Article 1, Article 12 and Article 159(4), the EAC has prepared a Confirmation Form for use by the RO. On the one hand, this would enable the RO to discharge his/her duties in accordance with his/her statutory powers, and conduct the nomination procedures smoothly with every candidate fully aware of the statutory requirements and their relevant responsibilities. On the other hand, the candidates, by signing the Confirmation Form, could also confirm that they have fully understood the Basic Law (including the provisions mentioned above) when signing the relevant declaration. In this regard, the relevant parts of the CE Election Guidelines had been revised as appropriate.

2.30 Among the views received by the EAC, some expressed concern about the stipulations on the publication of EAs under paragraphs 8.3 and 8.4 of the proposed CE Election Guidelines. The views are similar to those raised on the proposed ECSS Elections Guidelines. Please refer to paragraph 2.23 above for details.

2.31 Regarding the views on the voting system of the CE election, as this involves the primary legislation which is outside the remit of the EAC, the EAC has forwarded such views to the relevant bureau for consideration.

2.32 The EAC issued a press release on 20 October 2016 for the publication of the final CE Election Guidelines. The Guidelines were made available for public access at the EAC website and for distribution at the Home Affairs Enquiry Centres and the REO on the same date. Each candidate was provided with the Guidelines in CD-ROM format for reference at the time of submission of his/her nomination form.

2.33 As in previous CE elections, an enquiry service was available for candidates on the interpretation and operation of the CE Election Guidelines. Candidates (including those who had publicly declared their intention to stand for the CE election, whether or not they had submitted nomination forms) and their election agents were eligible to use the enquiry service. The service, however, did not cover enquiries on the parts of the Guidelines relating to the ECICO, which were to be directly handled by the ICAC since it was the enforcement authority for the legislation. The provision of the enquiry service was laid down in the first chapter of the CE Election Guidelines.

2.34 The enquiry service was available from 16 January 2017 until the close of ordinary business hours before the polling day. For the 2017 CE Election, no candidate (or election agent) has used the enquiry service.