

CHAPTER 4

THE VOTING SYSTEMS

Section 1 – Election Committee Subsector Ordinary Elections

Subsectors with EC members returned by elections

4.1 EC members for 38 subsectors/sub-subsectors are to be elected by voters at the subsector ordinary elections. The voting system is the “first-past-the-post” system. A candidate has to be nominated by not less than 5 subscribers (i.e. registered voters of the subsector/sub-subsector concerned) other than the candidate himself. There were 25 contested subsectors/sub-subsectors and 13 uncontested subsectors/sub-subsector in this election.

4.2 The number of EC member seats in each of the 25 contested subsectors/sub-subsectors varied from 15 to 60. A voter might vote for as many candidates as the number of members as assigned to a subsector/sub-subsector under the CEEO at the subsector ordinary elections, and no more. The candidates elected would be the candidate who obtained the highest number of votes followed by the candidate with the second highest number of votes, and so on, until all the vacancies were filled. In the event that there was still 1 vacancy to fill and the remaining most successful candidates had the same number of votes, the RO would have to arrange the drawing of lots to determine which one of these candidates should be elected to fill the last vacancy. The RO would then publicly declare the candidates as elected at the elections and publish the results of the elections in the Gazette.

4.3 For the 13 uncontested subsectors/sub-subsector, the RO had publicly declared, by a notice published in the Gazette, that the candidates validly

nominated for the aforesaid subsectors/sub-subsector were duly elected. For the Import and export subsector, the number of validly nominated candidates was less than the number of members allocated to the subsector. As such, the RO had publicly declared that the candidates validly nominated for the subsector were duly elected but the number of EC members returned for that subsector was less than the assigned number of members.

Religious Subsector

4.4 The 60 EC members from the Religious subsector are to be returned by nominations by 6 designated bodies. Each designated body may nominate a number of persons selected by it as members representing the Religious subsector on the EC for a new term of office of the EC. If the number of persons nominated by a designated body exceeds the assigned number for the body, the body may indicate which of the nominees were to be given preference in making up the assigned number and then rank the excess nominees in order of priority. If the RO determines that any of the nominees to be given preference by the body is not validly nominated, the assigned number is to be made up from the excess nominees in their order of priority. If the number of persons nominated by a designated body exceeds the assigned number for the body but the body has not indicated which of the nominees are to be given preference, the RO shall determine which nominees of that body (on the premise that the nominees are validly nominated) are to make up the assigned number by drawing lots. The nominees on whom the lot fall are to become members of the EC. The RO shall declare the nominees who became the members of the EC as such members in accordance with section 19 of the EAC (EP) (EC) Reg.

Section 2 – Chief Executive Election

4.5 For the CE Election, a candidate is required to have not less than 150 subscribers (i.e. members of the EC) nominating him/her. An EC member may nominate only 1 candidate. In accordance with the CEEO, for a contested election, if a candidate has obtained more than 600 valid votes in any round of voting, the candidate is returned at the election.

4.6 Where there are only two validly nominated candidates at the close of nomination period, the candidate who has obtained more than 600 valid votes in that single round of voting conducted between them will be returned at the election. The RO shall as soon as practicable publicly declare the candidate as elected in the election, and publish the result of the election in the Gazette. However, if no candidate has obtained more than 600 valid votes in that single round of voting and no candidate is returned at the election, the RO must publicly declare that no candidate is returned at the election, and publish the declaration and poll result as well as a notice of termination of election proceedings for the election in the Gazette. In such case, there will be a new round of nomination and the electoral process would be repeated until a candidate is returned.

4.7 Where there are 3 or more validly nominated candidates, a candidate who has obtained more than 600 valid votes at the first round of voting of the election will be elected. Otherwise, all other candidates will be eliminated except those who have obtained the highest and the next highest number (or the next highest and the same number) of valid votes, or those who obtained the highest and the same number of valid votes. If there are only two remaining candidates, a single round of voting should be conducted between these two candidates as mentioned in paragraph 4.6 above. Otherwise, the aforesaid voting and elimination process will be repeated until 1 candidate obtaining more

than 600 valid votes, or only two candidates remain, for which a single round of voting will be conducted as mentioned in paragraph 4.6 above. If 1 candidate has obtained more than 600 valid votes at the end of any subsequent round of voting, the RO shall as soon as practicable publicly declare the candidate as elected in the election, and publish the result of the election in the Gazette.

4.8 In the event that only 1 CE candidate is validly nominated, each EC member may cast either a “support” vote or a “not support” vote. The candidate will be elected if the number of valid “support” votes obtained by him/her exceeds 600. The RO shall publicly declare the candidate as elected in the election, and publish the result of the election in the Gazette. Otherwise, the RO shall publicly declare that no candidate is returned at the election, and publish the declaration and poll result as well as a notice of termination of election proceedings for the election in the Gazette. There will be another round of nomination and the electoral process will be repeated until a candidate was returned.