

CHAPTER 4

THE VOTING SYSTEM

4.1 A poll would be held in a contested election as well as in an uncontested election, and different voting systems will be adopted as appropriate [ss 23 and 24 of the CEEO]. In both cases, if a candidate obtains more than 750 valid votes, he/she is returned at the election. Details of the two different voting systems are provided in Part I and Part II of this chapter. *[Added in January 2007 and amended in October 2016 and January 2022]*

PART I : CONTESTED ELECTION

4.2 The voting system to be adopted if there are 2 or more validly nominated candidates contesting in an election is detailed below. *[Amended in January 2007]*

4.3 Each elector may cast only 1 vote by marking a single “✓” with the chop provided by the polling station in the circle against the name of the candidate of his/her choice on the ballot paper.

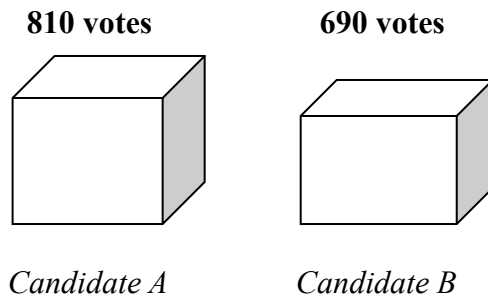
4.4 Where there are only 2 validly nominated candidates at the end of the nomination period, the candidate who obtains more than 750 valid votes in that single round of voting is returned at the election. The RO shall as soon as practicable publicly declare that the candidate as elected at the election and publish the result of the election in the Gazette. However, if no candidate obtains more than 750 valid votes in that single round of voting, no candidate is returned at the election and the RO must publicly declare that no candidate is returned at the election, and publish the declaration, the result of the poll and a notice of termination of the proceedings for the election in the Gazette.

[Ss 22(3), 24, 27(2) and (2A) and 28(2) of the CEEO] *[Amended in November 2011, October 2016 and January 2022]*

4.5 Where there are 3 or more validly nominated candidates, the candidate who obtains more than 750 valid votes in the first round of voting at the election will be elected. If no candidate obtains more than 750 valid votes, the candidate who obtains the highest number of valid votes and those candidate(s) who obtain the next highest and the same number of valid votes, or those candidates who obtain the highest and the same number of valid votes shall remain and all other candidates shall be eliminated. If there are only 2 remaining candidates, only one single round of voting shall be conducted for these 2 candidates as described in para. 4.4 above. Otherwise, the aforesaid voting and elimination process shall be repeated until a candidate obtains more than 750 valid votes, or until 2 candidates remain and one single round of voting is conducted for the 2 candidates as described in para. 4.4 above. If a candidate obtains more than 750 valid votes at the end of any subsequent round of voting in the election, the RO shall as soon as practicable publicly declare that the candidate as elected at the election and publish the result of the election in the Gazette. [Ss 24, 27(3) and (4) and 28 of the CEEO] *[Amended in January 2007, November 2011, October 2016 and January 2022]*

4.6 Examples are given below to illustrate how the voting system operates:

Scenario 1 (where there are 2 candidates in the election or 2 candidates remain after the elimination of all other candidates – a single round of voting must be conducted for the 2 candidates)



Elected

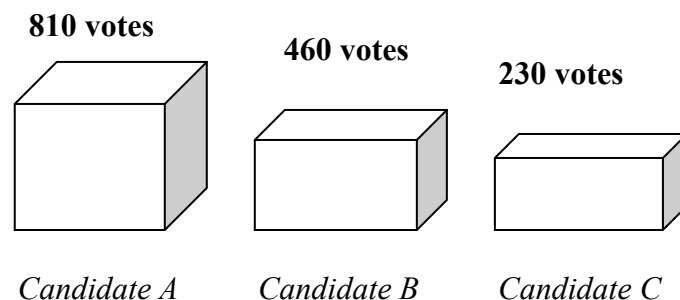
- Candidate A is elected as he/she has obtained more than 750 votes.

IMPORTANT:

If no candidate obtains more than 750 votes, no candidate will be returned at the election. The RO must terminate the proceedings for the election.

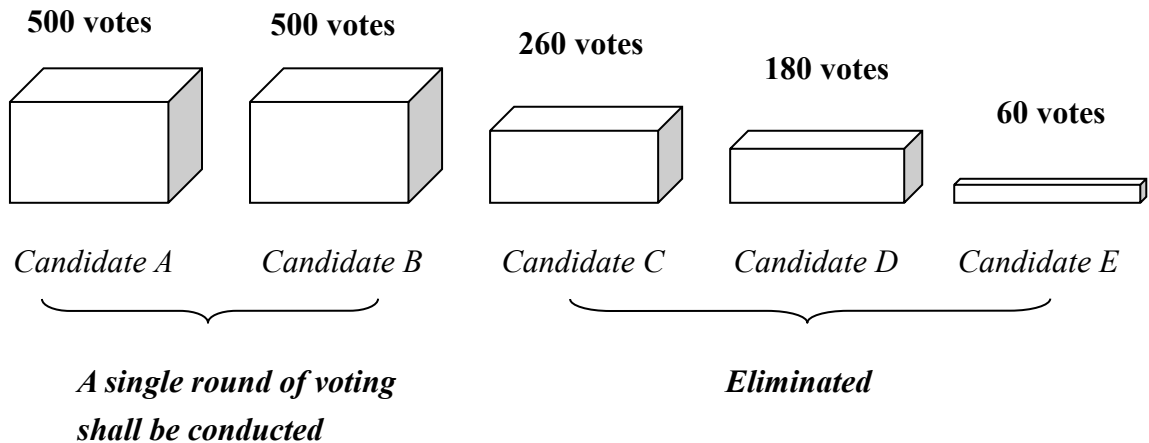
Scenario 2 (where there are 3 or more candidates in the election)

Scenario 2(a)

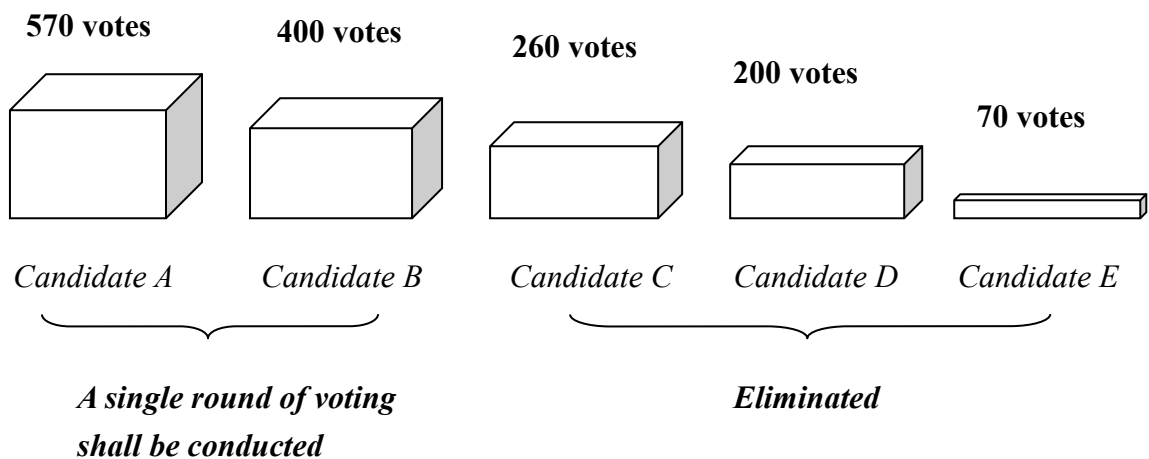


Elected

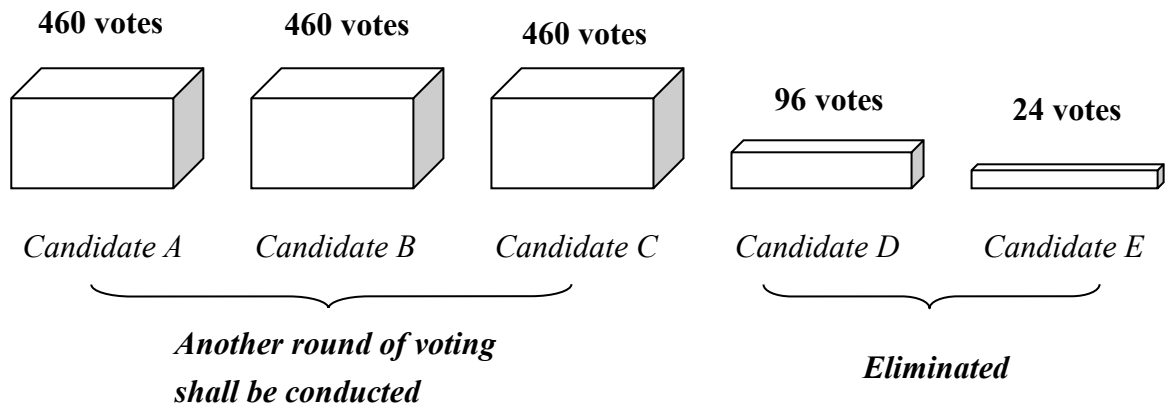
- 1 candidate (Candidate A) has obtained more than 750 votes in the first round of voting.
- Candidate A is elected.

Scenario 2(b)

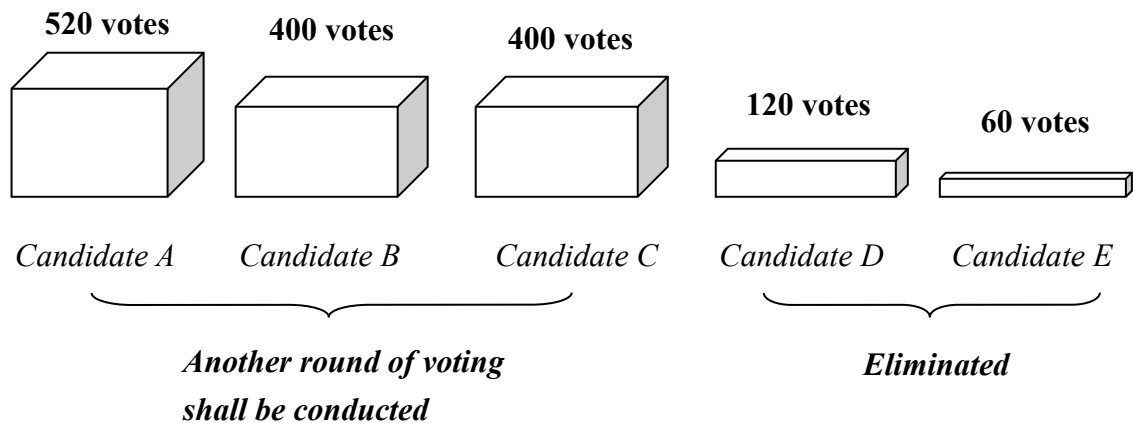
- Only 2 candidates (Candidates A and B) have obtained the highest and the same number of votes cast.
- A single round of voting shall be conducted for Candidates A and B (see scenario 1).

Scenario 2(c)

- Only 1 candidate (Candidate A) has obtained the highest number of votes cast but he/she does not obtain more than 750 votes.
- Only 1 candidate (Candidate B) has obtained the next highest number of votes cast.
- A single round of voting shall be conducted for Candidates A and B (see scenario 1).

Scenario 2(d)

- 3 candidates (Candidates A, B and C) have obtained the highest and the same number of votes cast.
- As many rounds of voting as may be necessary shall be conducted until (i) one of the candidates (Candidate A, B or C) has obtained more than 750 votes in any round of voting and is returned (see scenarios 1, 2(a), 2(b) and 2(c)); or (ii) the proceedings for the election are terminated when neither one of the 2 candidates who remain after elimination of one of the candidates obtains more than 750 votes in the required single round of voting (see scenario 1).

Scenario 2(e)

- Only 1 candidate (Candidate A) has obtained the highest number of votes cast but he/she does not obtain more than 750 votes.
- 2 candidates (Candidates B and C) have obtained the next highest and the same number of votes cast.
- As many rounds of voting as may be necessary shall be conducted until (i) one of the candidates (Candidate A, B or C) has obtained more than 750 votes in any round of voting and is returned (see scenarios 1, 2(a), 2(b), 2(c) and 2(d)); or (ii) the proceedings for the election are terminated when neither one of the 2 candidates who remain after elimination of one of the candidates obtains more than 750 votes in the required single round of voting (see scenario 1).

(Note: “votes” mentioned in the aforesaid scenarios refer to “valid votes”.)

[Amended in November 2011 and January 2022]

PART II : UNCONTESTED ELECTION

4.7 The voting system to be adopted if there is only 1 validly nominated candidate in the election is detailed below. *[Added in January 2007]*

4.8 Each elector may cast either a “support” vote or a “not support” vote. The candidate shall be returned at the election if the number of valid “support” votes obtained by him/her exceeds 750. The RO shall then publicly declare him/her as elected at the election, and publish the result of the election in the Gazette. [Ss 23, 26A(1), (2) and (3) and 28 of the CEEO] *[Added in January 2007 and amended in November 2011 and January 2022]*

4.9 If the number of valid “support” votes obtained by the candidate does not exceed 750, the candidate shall not be returned at the election. The RO shall publicly declare that no candidate is returned at the election, and publish the declaration, the result of the poll and a notice of termination of the proceedings for the election in the Gazette [Ss 22(1AB) and 26A(1), (2) and (4) of the CEEO]. There will then be another round of nomination and, if necessary, the electoral process will be repeated until a candidate is returned. *[Added in January 2007 and amended in November 2011 and January 2022]*