

CHAPTER 5

BEFORE THE POLLING DAY OF THE ELECTION COMMITTEE SUBSECTOR ORDINARY ELECTIONS

Section 1 – Candidate Eligibility Review Committee

5.1 On 11 March 2021, the NPC passed the “Decision of the NPC on Improving the Electoral System of the HKSAR”, under which the CERC of the HKSAR was to be established. According to the newly amended Annex I to the Basic Law, the CERC is responsible for reviewing and confirming the eligibility of candidates for EC members of various subsectors. The Committee on National Security shall, on the basis of the result of the review by the National Security Department of the Hong Kong Police Force (“Police”), determine whether a candidate for EC member of a subsector meets the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the HKSAR of the PRC, and issue an opinion to the CERC in respect of candidates who fail to meet such legal requirements and conditions.

5.2 Under section 9A of the CEEO, the CERC consists of the chairperson, at least 2 but not more than 4 official members and at least 1 but not more than 3 non-official members. Each member of the CERC is to be appointed by the CE by notice published in the Gazette. Only a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment as the chairperson or an official member, and only a person who is not a public officer is eligible for appointment as a non-official member. Besides, the CE shall report any appointment made to the Central People’s Government for the record. The Government announced the appointment of the chairperson and members of the CERC on 6 July 2021, with Mr John LEE Ka-chiu, the then Chief Secretary for Administration, as the

chairperson, 3 official members including Mr Erick TSANG Kwok-wai, the SCMA, Mr Casper TSUI Ying-wai, the then Secretary for Home Affairs, and Mr TANG Ping-keung, the Secretary for Security, and 3 non-official members including Miss Elsie LEUNG Oi-sie, Mrs Rita FAN HSU Lai-tai and Professor Lawrence LAU Juen-ye. The appointment commenced on 6 July 2021 and was published by the Government in the Gazette on 9 July 2021¹¹. The above-mentioned CERC was responsible for reviewing and confirming the eligibility of candidates for EC members of various subsectors.

Section 2 – Appointment of and Briefings for Returning Officers and Assistant Returning Officers

5.3 26 directorate officers from the relevant bureaux and departments were appointed as ROs (as listed at **Appendix V**) and the appointment was published in the Gazette on 23 July 2021. The RO for the engineering subsector was also designated as the Chief RO responsible for supervising the operation of the Central Counting Station (“CCS”).

5.4 To provide assistance to the ROs in their duties, the EAC appointed 31 senior officers from the relevant bureaux and departments as Assistant Returning Officers (“AROs”). In addition, the EAC appointed 19 AROs (Legal) to provide legal advice to the ROs on the polling day and during the count on various matters, particularly in determining the validity of questionable ballot papers. They were all qualified legal officers in the civil service and all from the Department of Justice (“DoJ”).

¹¹ Following the State Council’s decision on 7 April 2022 to remove Mr John LEE Ka-chiu from the post of Chief Secretary for Administration, and that on 24 February 2022 to remove Mr Caspar TSUI Ying-wai from the post of Secretary for Home Affairs (SHA), the HKSAR Government announced the new membership list of the CERC on 14 April 2022.

5.5 The EAC Chairman held a briefing session for the ROs and AROs in the afternoon of 22 July 2021 at the Southorn Stadium. The briefing session was also attended by the CEO and representatives of the DoJ and the ICAC. The EAC Chairman highlighted the composition and formation of the EC under the Improving Electoral System (Consolidated Amendments) Ordinance 2021 for the attention of the ROs and AROs, and explained various major electoral arrangements such as the nomination procedures, appointment of agents, polling arrangements (including the setting up of special queues for voters in need and the use of the EPR System), requirements relating to the NCZ and No Staying Zone (“NSZ”), counting arrangements, provisions in the legislation and the guidelines governing EAs and election expenses, and handling of complaints. Representative of the ICAC briefed the participants on the major provisions of the ECICO and the procedures for referring the relevant complaints to the ICAC.

5.6 The REO also conducted briefing sessions on determining the validity of questionable ballot papers for the ROs, AROs and AROs (Legal) on 6 and 9 September 2021 at the North Point Community Hall and Justice Place in Central respectively.

Section 3 – Appointment of Nominations Advisory Committees

5.7 8 legal professionals were appointed as members of the NACs under the EAC (NAC) (EC) Reg to, when necessary, provide advice to prospective candidates/prospective nominees/designated bodies and the ROs on whether a prospective candidate/ nominee is eligible to be, or is disqualified from being, nominated as a candidate/nominee. Members of the NACs, namely Senior Counsels Mr WONG Ching-yue and Mr JIN Pao, and Barristers-at-law Mr Kevin CHAN, Mr Johnny MA, Ms Grace CHOW, Mr Mike LUI, Mr Adrian LAI and Ms Ann LUI, were experienced members of the legal profession and were not affiliated with any political organisations. Their

appointment covering the period from 2 July 2021 to 16 August 2021, was published in the Gazette on 2 July 2021. During the above appointment period, the NACs received a total of 7 requests from prospective candidates for advice. The advice provided by the NACs on a prospective candidate's eligibility to be nominated as a candidate does not indicate whether his/her nomination is valid or not. The decision on the validity of the nomination remains finally with the CERC.

Section 4 – Nomination of Candidates

5.8 The nomination period, which started on 6 August 2021 and ended on 12 August 2021, was gazetted on 2 July 2021 by the EAC. Persons running for candidature were required to submit their nomination forms in person to the relevant ROs during the nomination period. By the close of nominations, the ROs of 36 subsectors received a total of 1 016 nominations, of which one nomination (involving the insurance subsector) was ruled invalid by the CERC.

5.9 The remaining 1 015 nominations were ruled valid by the CERC. Of these 1 015 validly nominated candidates,

- (a) 412 were to contest in 13 subsectors; and
- (b) 603 were returned uncontested in 23 subsectors.

Details of the breakdown of validly nominated candidates are set out in **Appendix VI**.

5.10 According to Annex I to the Basic Law and the CEEO, the CERC is responsible for assessing and validating the eligibility of EC candidates/nominees. The CERC may request the ROs to provide advice on the nominations of

candidates/nominees to the CERC. If the CERC is in doubt about the eligibility for nomination of a candidate, it may request the ROs or the candidate direct to provide the required information. The candidate must submit relevant information in the manner specified by the CERC. It may also make decision pursuant to the opinion of the Committee on National Security. The Committee on National Security shall, on the basis of the result of the review by the National Security Department of the Police, determine whether a candidate/nominee meets the legal requirements and conditions on “upholding the Basic Law and bearing allegiance to the HKSAR of the PRC”, and issue an opinion to the CERC in respect of candidates/nominees who fail to meet such legal requirements and conditions. According to Article 14 of the National Security Law, no institution, organisation or individual in the HKSAR shall interfere with the work of the Committee on National Security. Information relating to the work of the Committee on National Security shall not be subject to disclosure.

5.11 Under the subsisting law, the validity of a candidate’s nomination is solely determined by the CERC. The EAC is neither empowered nor involved in the making of such decision and will not provide any advice. The EAC will only make practical arrangements for the election according to the list of validly nominated candidates determined by the CERC.

5.12 In accordance with section 16 of the EAC (EP) (EC) Reg, if the CERC decides that a nomination is invalid, the CERC must endorse on the nomination form the decision and the reason(s) for it, and the RO will make available a copy of the nomination form for public inspection pursuant to section 10 of the EAC (EP) (EC) Reg. If any person is disqualified from being a candidate at an election, he/she may make an election petition to question the result of the election in accordance with section 39 of the Schedule to the CEEO. However, by virtue of Annex I to the Basic Law and the electoral law, no legal proceedings may be

instituted in respect of a decision made by the CERC on the eligibility of a candidate pursuant to the opinion of the Committee on National Security.

5.13 The list of validly nominated candidates for each subsector and the result of each uncontested subsector were published in the Gazette on 26 August 2021.

Section 5 – Briefings for Candidates

5.14 The EAC will organise a briefing session for validly nominated candidates at each election for the purpose of providing them with important information of the election and reminding them of the essential requirements under the relevant electoral law and guidelines. On the same occasion, the RO conducts lots drawing to determine the order of the names of candidates on the ballot paper and to allocate a set of designated spots for display of EAs.

5.15 For the 2021 ECSS Ordinary Elections, the EAC has made alternative arrangements with regard to the actual situation. Having regard to the need to maintain social distancing amid the COVID-19 epidemic, the EAC has conducted the lots drawing session by the ROs and the briefing session for candidates on two separate days. Besides, the briefing session for candidates was conducted online.

5.16 The ROs of the 13 contested subsectors determined the order of names of candidates to appear on the ballot papers and the allocation of the designated spots for display of EAs by means of lots drawing at the Hong Kong Convention and Exhibition Centre (“HKCEC”) on 23 August 2021. Separately, the briefing session for candidates was conducted online on 26 August 2021, with live broadcast on television and the Internet for public viewing. Major topics covered in the briefing session included the appointment and roles of each type of agents, polling and counting arrangements, measures in response to COVID-19,

requirements for the conduct of electioneering activities, prevention of corrupt and illegal conduct, requirements pertaining to EAs and election expenses, and matters requiring attention in the use of personal data of voters for electioneering purposes. The representative from the ICAC also gave a briefing on the ECICO, while the representative from Hongkong Post explained the arrangement and requirements of the free postage service for election mail. Information of the briefing was uploaded onto the dedicated website of the 2021 ECSS Ordinary Elections for reference of candidates and the public.

Section 6 – Introduction to Candidates

5.17 In accordance with section 31 of the EAC (EP) (EC) Reg, the poll card, together with the Introduction to Candidates, location map of the polling station, Guide on Voting Procedure and the ICAC leaflet on clean election, were sent to each voter no later than 5 days before the polling day by the REO. The Introduction to Candidates contained the name, photograph, electoral message and other details of each of the candidates to facilitate voters in making an informed choice when casting their votes. For the sake of environmental protection, paper derived from sustainable forests and environmentally friendly ink were used for printing these documents.

5.18 As no poll was to be taken for the 23 uncontested subsectors, the REO issued a notice of uncontested election, together with the relevant Introduction to Candidates, to the voters of these subsectors, informing them that they were not required to go to the poll.

5.19 To assist the visually impaired in reading the contents of the Introduction to Candidates, the REO appealed to candidates to provide a computer-typed text version of their profiles for uploading onto the dedicated election website so that people with visual impairment could access the

information using computer-assisted software. About 10% of the candidates of the 13 contested subsectors responded to the REO's appeal by providing text version of the electoral information.

Section 7 – Polling and Counting Arrangements

Recruitment of Polling and Counting Staff

5.20 In past elections, the REO recruited serving civil servants to perform electoral duties at polling stations and/or counting stations. A civil servant applying for an electoral post must have his/her application form completed by the Departmental Secretary or his/her supervisor with recommendation for approval of the application and consent for temporary release of the applicant from his/her daily duties to attend the related training programmes, venue set-up work, etc. to be conducted before the election. The REO launched a service-wide recruitment exercise for this election in June 2021. Together with the staff deployed from the REO, the number of staff engaged in this election amounted to a total of about 1 300.

5.21 Those who were appointed as PROs, Deputy Presiding Officers (“DPROs”) and Assistant Presiding Officers (“APROs”) were civil servants at officer rank or above while other polling staff were civil servants of other ranks. As in the past, electoral staff would not be deployed to polling stations where they would cast their votes to avoid any actual or perceived conflict of interests. Each appointee was also required to disclose if he/she had any close relationship with any candidate, and if so, he/she would not be assigned to work in any of the polling stations concerned or the CCS. This arrangement helps safeguard the neutrality and independence of the electoral arrangements and maintain the integrity of the election.

5.22 In deploying staff to the polling stations, the REO would take into account the operational needs of individual polling stations and the experience of the staff members in previous elections, and would arrange for them to work in a polling station close to the districts they reside as far as possible.

Briefing for PROs and DPROs

5.23 Given the important roles played by PROs and DPROs in the elections, the REO provided a polling management training session for them on 1 September 2021 at the Hong Kong Coliseum to enhance the quality of polling management. The briefing included explanation of key provisions of the EAC (EP) (EC) Reg and the Improving Electoral System (Consolidated Amendment) Ordinance 2021, new arrangements for setting up special queues for voters in need and the use of the EPR System, hand-on practice sessions on system operation, measures adopted by polling stations in response to COVID-19, voting procedures, work after the close of the poll, complaints handling, tips on crisis management and team building, as well as sharing by PROs with profound experience in electoral work.

Training for Polling and Counting Staff

5.24 To acquaint electoral staff of all ranks with their duties, the REO conducted series of training for staff working in polling and counting stations respectively.

5.25 The REO organised a briefing session on 2 September 2021 at the Hong Kong Coliseum to enable all PROs, DPROs, APROs and other polling staff of ordinary polling station (“OPSs”) to familiarise themselves with their duties on the polling day. The briefing covered the voting procedures, the latest polling arrangements, etc. Attention of the polling staff was drawn in particular to the

new arrangements introduced in this election, such as the special queues, EPR System and measures in response to COVID-19. Hands-on practice on the EPR System was specifically provided to the staff to operate the system in person and get familiarised with the procedures to facilitate smooth issuance of ballot papers. To ensure that the election would be conducted in a clean and fair manner, the ICAC also sent representative to the briefing session to explain the role of polling staff in a clean election. In addition, the REO also organised a workshop at the Hong Kong Coliseum on the same day for polling staff responsible for compiling statistical returns. The workshop included briefing and hands-on practice on the Mobile Input System for Electoral Statistics (“MISES”), which was adopted across the board in this election.

5.26 A new post of Polling Assistant (Hygiene) (“PA(H)”) was created by the REO for this election to carry out cleaning and disinfection work in the OPSs. For this purpose, representatives of the Department of Health (“DH”) were invited to provide training at the Kowloonbay International Trade and Exhibition Centre (“KITEC”) on 6 September 2021 so as to prepare the PA(H) for the implementation of measures against COVID-19 at the polling stations.

5.27 For polling staff of the DPSs, the REO also organised a general briefing to explain the operation of DPSs. The briefing was conducted at the KITEC on 8 September 2021.

5.28 In addition, the REO compiled two sets of operational manuals each for OPSs and DPSs: one set for the PROs, DPROs and APROs and the other for POs and PAs. A training video for staff of OPSs produced by the REO was also uploaded onto the REO’s designated platform to facilitate their revision of the manuals.

5.29 As for staff of the CCS, the REO organised 5 general briefing cum hands-on practice sessions at the Jockey Club Tuen Mun Butterfly Beach Sports Centre from 26 to 30 August 2021. The programme covered counting procedures, mock operation, contingency arrangements, etc. Another 4 practical training sessions on the operation of the Optical Mark Recognition (“OMR”) counting machines and the Voting Validation and Counting Automation System (“VVCAS”) were held from 2 to 3 September 2021 to equip the staff with the necessary knowledge and skills for discharging their duties. In addition, to ensure a smooth counting process, the REO arranged an on-site rehearsal on 18 September 2021 (i.e. the day before the polling day) for all counting staff working in the CCS to strengthen their understanding of their duties. Training videos and operational manuals were also produced by the REO to explain in detail the workflow of each functional unit.

Identifying Venues as Polling Stations and Counting Station

5.30 The REO identified 5 venues as polling stations for the 2021 ECSS Ordinary Elections for about 5 000 voters of the 13 contested subsectors to cast their votes. Factors considered in identifying venues as polling stations included their accessibility, convenience for voters with mobility difficulties or using wheelchairs, etc. The 5 OPSs were located in the HKCEC, Wan Chai; Kowloon Park Sports Centre, Tsim Sha Tsui; Tuen Mun Town Hall; Sha Tin Town Hall; and Princess Alexandra Community Centre, Tsuen Wan. In addition, 1 DPS was set up at the Cheung Sha Wan Police Station. The number of voters assigned to each OPS ranged from about 500 to 1 600.

5.31 Voters were allocated polling stations according to their residential addresses. Under the combined voting arrangement, a voter of a subsector who was also an AR of a corporate voter of another subsector would vote at the same polling station.

5.32 A CCS (including the media centre (“MC”)) with a total area of about 24 000 m² was set up at Halls 5B to 5G, on Level 5 of the HKCEC.

5.33 In accordance with section 28 of the EAC (EP) (EC) Reg, the CEO published by notice in the Gazette to designate the locations of all polling stations and the counting station on 27 August and 3 September 2021 respectively.

Polling Arrangements

5.34 On the day before the polling day, the polling staff set up the polling stations at the designated venues. Voting compartments, ballot boxes and ballot paper issuing desks were provided in the polling stations.

5.35 Outside each polling station, areas were designated by the RO as NCZs and NSZs to provide voters with a hindrance-free access to the polling station. A notice was put up by the RO at a prominent spot at or near the polling station to notify members of the public of the delineation of the NCZs and NSZs.

5.36 Each ballot paper issuing desk at a polling station was given complete booklets of ballot papers in respect of each individual subsector for issue to eligible voters of the ECSS Ordinary Elections. The EPR System was used for the first time in the 5 OPSs at this election. After a voter presented his/her identity document, the polling staff checked the identity of the voter through the EPR System and issued a ballot paper, without having to draw a line on the printed copy of the FR. The voters could collect the ballot paper from any of the ballot paper issuing desks as directed at their respective polling stations. This helped even out the utilisation of the ballot paper issuing desks, thereby making the process of ballot paper issuance smoother and more flexible, and enhancing the accuracy of issuing ballot paper. Each ballot paper clearly bore the name of the relevant subsector at the upper-right corner and was printed in a colour assigned

to that subsector for easy identification. A voter was required to mark the ballot paper by filling the ovals next to the names of the candidates of his/her choice.

5.37 Apart from overseeing the nomination and related matters for the assigned subsector, some ROs were also responsible for overseeing the operation of 1 to 2 designated polling stations on the polling day. The PRO, assisted by the DPRO and APROs, was responsible for ensuring the smooth and efficient operation of the polling station under his/her charge during the poll and had to work closely with the RO concerned.

Special Queue Arrangement

5.38 In accordance with section 49A of the EAC (EP) (EC) Reg, the PRO may make special queuing arrangements for voters in need including persons aged 70 or above, pregnant women and persons who are not able to queue for a long time or have difficulty in queuing because of illness, injury, disability or dependence on mobility aids. The PRO should set up two queues outside the polling station, one for voters in need and the other for other voters. The PRO should also flexibly deploy ballot paper issuing desks with a view to reducing the overall waiting time.

Polling Hours

5.39 The poll started at 9:00 am and ended at 6:00 pm for all polling stations including OPSs and the DPS at Cheung Sha Wan Police Station.

Special Polling Arrangements for Imprisoned, Remanded and Detained Voters

5.40 To enable voters who were imprisoned or remanded by the Correctional Services Department (“CSD”) (if any) to vote on the polling day, DPSs would be

set up in the penal institutions of the CSD. As there was no such voter in this election, no DPS was set up in CSD penal institution. Besides, as there might be voters arrested by LEAs any time on the polling day, the REO set up a DPS at Cheung Sha Wan Police Station for voters who were remanded or detained by LEAs other than the CSD on the polling day (if any). The polling hours of the DPS were the same as those of the OPSs. The venue setup of a DPS was basically the same as that of an OPS, except that some of the polling materials were specially designed for security reasons.

Safety Measures against COVID-19

5.41 After consulting the Centre for Health Protection (“CHP”), the REO implemented a number of measures to prevent the spread of COVID-19 in the polling and counting stations, which included requiring all polling and counting staff to wear surgical masks or other protective equipment recommended by the CHP; prohibiting staff with fever symptoms from performing electoral duties; erecting transparent partitions on ballot paper issuing desks to separate staff and voters; requiring candidates, their agents and voters to wear their own masks, clean their hands with sanitisers and have their body temperature checked before entry to any polling or counting stations; and ensuring that voters maintain proper social distancing. Voters with fever symptoms would be directed to a special voting compartment to vote. The special voting compartment would be disinfected by staff after each use, and the polling station would also be disinfected with cleaning supplies when necessary. The EAC had advised voters who intended to vote but were at that time not in Hong Kong to plan their itinerary as early as possible to allow sufficient time for quarantine arrangements, so that they could exercise their voting right on the polling day.

The Fast Response Team

5.42 Following the practice adopted by the REO since the 2008 LCGE, Fast Response Teams (“FRTs”) comprising experienced personnel were appointed to handle emergencies in relation to polling stations. The FRTs also had to check on the operation of the polling stations and the performance of the polling staff to ensure strict compliance with the stipulated electoral procedures and requirements.

5.43 The REO set up two FRTs for this election. Apart from conducting inspection of the operation of the polling stations and advising PROs to take remedial or improvement measures where necessary, they also rendered immediate advice and assistance to ROs and PROs with regard to electoral arrangements. The FRTs had to report to the Central Command Centre (“CCC”) on any major irregularities and problems observed, and carry out the CCC’s instructions in response.

Counting Arrangements

5.44 Considering the number of seats in the contested subsectors of the ECSS Elections (varied from 12 to 80) and the corresponding large number of candidates on the ballot papers (ranging from 14 to 82), the REO, as in the previous ECSS Ordinary Elections, commissioned a contractor to update and enhance the VVCAS and rented OMR machines and other related equipment for automated vote counting. To facilitate the operation of the system, the design of the ballot papers must conform to specific technical requirements. Each ballot paper could accommodate the names and candidate numbers of up to 178 candidates. Voters were required to fill the ovals with the black pen provided at the polling stations. To keep the ballot papers intact, voters needed to place the marked ballot paper in the envelope so provided. Besides, to ensure the reliability and integrity of the VVCAS, the REO had engaged 3 independent

quality assurance contractors to assess the reliability of the programme, the stability of the counting procedures and the information technology risks of the system as a whole, and to monitor the whole counting process. A total of 13 OMR machines were used for conducting the count in this election.

5.45 Ballot papers cast at all polling stations were delivered to the CCS at the HKCEC for counting after the close of poll. In the CCS, there were “Ballot Box Reception Area” and “Ballot Box Deposit Area” for receipt and temporary storage of ballot boxes and electoral documents delivered from various polling stations, 13 counting zones for the actual counting of votes for the contested subsectors, Ballot Paper Scanning Zone for automated vote counting by OMR machines, Manual Key Entry Zone for manual input of votes on valid ballot papers, and the Questionable Ballot Paper Determination Zone for the ROs to determine the validity of questionable ballot papers and announce the counting results. Every counting zone comprised a General Section and a Visual Screening Section. Among the 13 counting zones, 4 of them also had a Sorting Section for opening ballot boxes and sorting of ballot papers by subsectors. Each counting zone was overseen by a counting supervisor.

5.46 The counting process started with the opening of ballot boxes and sorting of ballot papers. Since there were ballot papers of different subsectors in each ballot box, counting staff of the Sorting Section had to sort the ballot papers by subsectors. The sorted ballot papers would be delivered to the General Section of the corresponding counting zone for, checking and record, followed by visual screening by counting staff of the Visual Screening Section. Clearly invalid ballot papers would be put aside, whereas questionable ballot papers would be sent to the RO for determination. The remaining ballot papers would be delivered to the Ballot Paper Scanning Zone for automated counting by the OMR machines. When the ballot papers were scanned by the machines, the VVCAS would instantly read and record the choices marked (by filling in the

ovals) on the ballot papers. The validity of questionable ballot papers was determined by the ROs of the respective subsectors at the Questionable Ballot Paper Determination Zone. Questionable ballot papers ruled valid would be delivered to the Manual Key Entry Zone where the counting staff would input the votes recorded on the ballot paper manually into the VVCAS. Upon completion of the counting work of a subsector, the counting staff of the Command Centre would consolidate the counting and election results through the VVCAS.

5.47 As the count involved multiple steps and the ballot papers were processed by counting staff in different functional units (e.g. Sorting Section, General Section, Ballot Paper Scanning Zone, Questionable Ballot Paper Determination Zone, etc.), the ballot papers must be put in transparent plastic bags to prevent loss or damage during delivery. In addition, the counting staff would also use forms to record information of the ballot papers they handled, such as the types and numbers of clearly invalid and questionable ballot papers and questionable ones, the number of ballot papers processed by individual OMR machines in each scan and the corresponding scanning results, etc. At the same time, counting staff would input the relevant information into the Counting Information Display System (“CIDS”) for the public to monitor the progress of the count. Counting staff must sign on the forms for confirmation during the handover of ballot papers to ensure their proper handling. Upon completion of the count, counting staff would check the number of ballot papers against the records on the counting forms.

5.48 Apart from counting zones, an area for candidates, their election/counting agents and members of the public to observe the declaration of election results, as well as a press area for the media to cover the election news were set up at the MC at Halls 5F and 5G on Level 5. In addition, a public area was set up in the counting zone at Hall 5E on Level 5 for members of the public to observe the count. As in previous elections, candidates and their

election/counting agents were allowed to observe the count in the designated area of the counting zones.

Compilation of Voter Turnout Statistics

5.49 Each polling station was required to send the hourly voter turnout statistics to the REO's Statistical Information Centre ("SIC") by fax on the polling day. The SIC made available to the public the voter turnout statistics through press releases. Such information was also uploaded onto the dedicated election website on the polling day.

5.50 A total of 188 telephone lines and 69 fax lines were set up for the SIC and Helpdesks at the CCC to collect hourly voter turnout statistics and handle enquiries from polling stations.

Contingency Measures

5.51 The following arrangements were planned or adopted by the REO to cater for inclement weather or emergencies:

- (a) postponement or adjournment of the poll in one or more polling stations, or of the count in the CCS;
- (b) extension of polling hours because of flooding, power failure or other emergencies;
- (c) designation of 6 venues as reserve polling stations and 21 venues as reserve DPSs in the event that the original polling stations, for one reason or another, could no longer function properly or be accessed by voters;

- (d) setting up 4 emergency depots to provide logistic support to the respective polling stations in each district;
- (e) setting up a fall-back CCS at the Che Kung Temple Sports Centre and a fall-back MC at the Sha Kok Community Hall. In case the HKCEC was rendered inoperable by unexpected events, the central counting and the operation of the MC would be relocated to fall-back venues;
- (f) booking vehicles for delivering ballot boxes and transporting counting staff to the fall-back venues when necessary;
- (g) formulating a contingency plan for switching to a full manual input of votes in the unlikely event of a total system failure of the VVCAS, and providing counting staff with the relevant training; and
- (h) preparation of public announcement notices in the event that any of the contingency arrangements as set out in paragraph 5.50(a), (b), (c) or (e) above had to be implemented.

Section 8 – Publicity

5.52 Publicity is an important element in elections. It helps appeal to the voters of EC subsectors to actively participate in the election by standing for election and voting on the polling day, as well as publicising the importance of clean and fair elections. It also serves to disseminate election-related information, such as those introducing new electoral arrangements and existing electoral procedures, to candidates and voters in an efficient and effective manner and, more importantly, to remind voters to vote on the polling day.

5.53 In this election, the EAC and the government departments concerned devoted a lot of efforts to the publicity work. The publicity programme was launched on 23 July 2021 and lasted until the polling day on 19 September 2021. Details of the relevant publicity activities are as follows:

- (a) producing 3 sets of Announcements in the Public Interest (“APIs”) for broadcast on local television and radio channels to publicise the 2021 ECSS Ordinary Elections. The first set of television/radio APIs was broadcast from 30 July to 12 August 2021 to announce the nomination period and invite nominations. The second set of television/radio APIs, broadcast from 13 August to 19 September 2021, aimed to encourage voter turnout and illustrate the proper procedures for casting a vote. The third set of television/radio APIs mainly introduced the new electoral arrangements in the elections (such as the use of the EPR System for issuing ballot papers, the special queues for voters in need (including persons aged 70 or above, pregnant women, and persons who are not able to queue for a long time or have difficulty in queuing because of illness, injury, disability or dependence on mobility aids) and precautionary measures against COVID-19), voting procedures and points to note; and reminded voters to follow the proper voting procedures to ensure voting secrecy. These television APIs were uploaded onto the dedicated election website for public viewing;
- (b) placing two advertisements in local newspapers and on the Internet to reinforce the messages of the APIs. The advertisement on nomination was placed in one newspaper on 6 August 2021. The other advertisement, which encouraged

voter turnout, was placed in three newspapers on 16, 17 and 18 September 2021. Besides, an online advertisement was published from 13 August to 19 September 2021 to encourage voter turnout;

- (c) placing posters in the advertisement space of the MTR East Rail and Tuen Ma Lines (from 27 August to 19 September 2021) and of the MTR Island, Tsuen Wan, Kwun Tong, Tseung Kwan O and Tung Chung Lines (from 28 August to 19 September 2021) to encourage voter turnout;
- (d) setting up a dedicated election website to provide information on the elections, such as the ECSS Elections Guidelines, Introduction to Candidates, Guidelines for Candidates, voter turnout, election results, publicity materials, etc.;
- (e) providing voters who could not read Chinese or English information about the elections and the voting procedures. Translation of the election brief and voting procedures in 10 languages other than Chinese and English were prepared by the REO and uploaded onto the dedicated election website. Relevant materials were also uploaded onto the website of the Race Relations Unit of the Home Affairs Department (“HAD”) and displayed at some support centres for ethnic minorities to bring the elections to the attention of people of different races. In addition, the Government introduced the elections in languages of different races through radio broadcast;
- (f) printing posters to reinforce the messages of the APIs and distributing the posters to about 300 designated bodies of

different subsectors, primary and secondary schools, tertiary institutions, hospitals, and departments, etc.;

- (g) holding an online briefing for candidates hosted by the EAC Chairman on 26 August 2021. Radio Television Hong Kong provided a live broadcast of the briefing on RTHK TV 32. It was also broadcast live on the website of the Information Services Department (“ISD”) for public viewing; and
- (h) printing leaflets to introduce the details of the mock polling stations and explain the proper procedures for casting a vote and mailing the leaflet to each voter along with the poll card.

5.54 To promote the importance of clean elections and in view of the two new offences introduced under the ECICO, including the corrupt conduct of wilfully obstructing or preventing another person (or getting another person to obstruct or prevent a third person) from voting at an election and the illegal conduct of carrying out any activity in public during the election period that incites another person not to vote or to cast an invalid vote, the ICAC launched a series of educational and publicity activities on the theme of “Abide by the Rules, Support Clean Elections” for the elections and step up publicity targeting relevant bodies and organisations associated with the EC subsectors through different channels, so as to instil an understanding of the legal requirements among the stakeholders. These activities included:

- (a) conducting briefing sessions for candidates, their election agents, electioneering helpers, political parties, designated bodies of EC subsectors and district organisations to explain major provisions of the ECICO and step up publicity for the new offences;

- (b) producing the “Clean Election Information Booklet”, “Checklist for Candidates” and “Guidelines for Candidates on Election Return” to expound on relevant legislative requirements and the points that candidates and their election agents should note in engaging in electioneering activities and completing election returns;
- (c) producing the leaflet “Guidelines for Voters” for distribution to voters through the assistance of the REO;
- (d) producing a series of educational publicity materials, such as television and radio advertisements, publicity posters and educational videos, to promote a clean election culture;
- (e) publicising the relevant ordinances, especially the two new offences related to sabotage and manipulation of elections through a series of interviews with the media to remind members of the public not to engage in illegal appeals or repost any unlawful contents;
- (f) publishing feature articles on clean elections in the newsletters and journals of various government departments, public bodies, district organisations, professional bodies and chambers of commerce, and displaying e-banners on their online platforms to enhance promotion;
- (g) reminding people of different races of the relevant legislative requirements by uploading the translations of the key provisions of the ECICO in 10 languages onto the dedicated election website;

- (h) joining hands with the REO in arranging training sessions for supervisory staff of polling stations and polling staff;
- (i) launching a thematic website to provide relevant information to the public; and
- (j) setting up a “Clean Election Enquiry Hotline” to answer public enquiries about the ECICO as well as related educational and publicity activities.