

CHAPTER 1

AN OVERVIEW

Section 1 – Reformed District Councils (“DCs”)

1.1 The term of office of the sixth term of District Councils (“DCs”) commenced on 1 January 2020 and ended on 31 December 2023. To improve and enhance the efficacy of district governance, the Chief Executive (“CE”) in Council approved the proposals to reform DCs and strengthen district governance structure on 2 May 2023. To implement the above proposals, the Government introduced the District Councils (Amendment) Bill 2023 (“the Amendment Bill”) to the Legislative Council (“LegCo”) on 31 May 2023 and it was approved by the LegCo on 6 July 2023. The District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023.

1.2 According to the amended District Councils Ordinance (Cap. 547) (“DCO”), there are still 18 Districts in Hong Kong, and a DC should still be established in each District. District Officers would serve as the Chairmen in the reformed DCs. The DCs would be composed of appointed, District Committees constituency (“DCC”), District Council geographical constituency (“DCGC”) and ex officio members. There are a total of 470 members with appointed, DCC and DCGC members accounting for about 40% (179 seats),

40% (176 seats) and 20% (88 seats) respectively, plus 27 ex officio members. The details for the number of members of each DC are set out at **Appendix I**.

1.3 In accordance with section 27 of the DCO, the CE specified that the 2023 DC Ordinary Election would be held on 10 December to return members of the DCC and members of the DCGC for the seventh term of DCs. The date of the election was published in the Gazette on 24 July 2023. The term of office of the seventh term of DCs commenced on 1 January 2024 and ends on 31 December 2027 for a period of four years.

1.4 To ensure national security and to fully implement the principle of “patriots administering Hong Kong”, the eligibility review mechanism is introduced for DCs. In accordance with the DCO, the District Council Eligibility Review Committee (“DCERC”) reviews and confirms the eligibility of all candidates standing for DC elections, as well as the persons proposed for appointment as DC members and those who wish to register as ex officio DC members.

Number of Members to be Returned

Members of the DCC

1.5 The DCC members, to be returned by election, constitute about 40% of the total number of seats in DCs (excluding ex officio seats) with a total of 176 seats. In accordance with section 5A of the DCO, the DCC of a DC is composed of all members of all the District Committees (i.e. the Area

Committee(s), the District Fight Crime Committee and the District Fire Safety Committee, collectively known as “the three committees”¹ in the District for which the DC is established. The candidates concerned must be nominated by not less than three (but not more than six) electors of each of the “three committees” in the District, and candidates do not have to be members of the “three committees” themselves.

Members of the DCGC

1.6 There would be a total of 44 DCGCs established in the 18 Districts in Hong Kong (see **Appendix II** for details). DCGC members are to be returned by election. In accordance with section 7 of the DCO, two members are to be returned for each DCGC. DCGC members constitute about 20% of the total number of seats in DCs (excluding ex officio seats) with a total of 88 seats. The candidates concerned must be nominated by not less than three (but not more than six) electors of each of the “three committees” in the District, and by not less than 50 but not more than 100 electors for the DCGC.

Section 2 – Election Report to the Chief Executive (“CE”)

1.7 The Electoral Affairs Commission (“EAC”) is required under section 8(1) of the Electoral Affairs Commission Ordinance (Cap. 541)

¹ Only members of the “three committees” who are also electors registered in the existing final registers of electors for geographical constituencies (“FR of GCs”) are eligible to be included in the register of electors for District Committees constituencies (“DCC register”).

(“EACO”) to submit a report on the election to the CE within three months of the conclusion of an election.

1.8 This report aims to give a detailed account of the preparatory work conducted by the EAC and the Registration and Electoral Office (“REO”), and the implementation of the electoral arrangements and handling of complaints for this election. Having considered the experience gained from this election and reviewed the effectiveness of various electoral arrangements, the EAC and REO have made recommendations for improvements in future elections in this report.

CHAPTER 2

LEGISLATION GOVERNING THE ELECTION

Section 1 – Ordinances and Subsidiary Legislation

2.1 The 2023 DC Ordinary Election was governed by the following ordinances:

- (a) the EACO, which empowers the EAC to perform its various functions in the supervision and conduct of the election;
- (b) the DCO, which provides the legal basis for conducting the election;
- (c) the Legislative Council Ordinance (Cap. 542) (“LCO”), which lays down the qualification for registration as an elector; and
- (d) the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (“ECICO”), which prohibits election-related corrupt and illegal matters and is administered by the Independent Commission Against Corruption (“ICAC”).

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

- (a) the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Geographical Constituencies) Regulation (Cap. 541A) (“EAC (ROE) (GC) Reg”);
- (b) the Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541E) (“EAC (NAC) (DC) Reg”);
- (c) the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) (“EAC (EP) (DC) Reg”);
- (d) the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541M);
- (e) the Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections) (Application and Payment Procedure) Regulation (Cap. 541N);
- (f) the District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547A);
- (g) the District Councils (Election Petition) Rules (Cap. 547C); and
- (h) the Maximum Amount of Election Expenses (District Council Election) Regulation (Cap. 554C).

Section 2 – Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Ordinance 2021

2.3 Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“Basic Law”) provides that when assuming office, the CE, principal officials, Members of the Executive Council and of the LegCo, judges of the courts at all levels and other members of the Judiciary in the Hong Kong Special Administrative Region (“HKSAR”) must, in accordance with the law, swear to uphold the Basic Law and swear allegiance to the HKSAR of the People’s Republic of China (“PRC”). On 7 November 2016, the Standing Committee of the National People’s Congress (“NPCSC”) adopted the Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China by the Standing Committee of the National People’s Congress (“Interpretation”), which explains that oath taking is the legal prerequisite and required procedure for public officers specified in Article 104 of the Basic Law to assume office, and must comply with the legal requirements in respect of its form and content. The Interpretation also makes it clear that an oath taker shall bear legal responsibility in accordance with the law if he/she makes a false oath or, after taking the oath, engages in conduct in breach of the oath.

2.4 In addition, Article 6 of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (“National Security Law”), which was promulgated on 30 June 2020, also stipulates that a resident of the HKSAR who stands for election or assumes

public office shall confirm in writing or take an oath to uphold the Basic Law and bear allegiance to the HKSAR of the PRC in accordance with the law.

2.5 To accurately implement the requirements stipulated in Article 104 of the Basic Law, and the Interpretation and the National Security Law, the Government tabled the Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Bill 2021 to the LegCo on 17 March 2021 to amend several ordinances. The amendments under the Bill relating to DC elections include the following:

- (a) amending the DCO to specify that a person will be disqualified from being a Member of the DC if he/she breaches an oath or fails to fulfil the legal requirements and conditions on “upholding the Basic Law and bearing allegiance to the HKSAR of the PRC”, and improving the mechanism in case of such a breach or failure; and
- (b) introducing restrictions in DC elections such that a person who has vacated an office or been disqualified from entering on an office for declining or neglecting to take an oath, breached the oath or failed to fulfil the legal requirements and conditions on “upholding the Basic Law and bearing allegiance to the HKSAR of the PRC” will be disqualified from being nominated and elected in the DC election held within five years.

2.6 The Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Bill 2021 was passed by the LegCo on 12 May 2021. The

amendments came into operation on the date of publication by Gazette (i.e. 21 May 2021).

Section 3 – Improving Electoral System (Consolidated Amendments) Ordinance 2021

2.7 The NPC passed the Decision of the NPC on Improving the Electoral System of the HKSAR on 11 March 2021, followed by the NPCSC’s adoption of the amended Annex I and Annex II to the Basic Law on 30 March 2021. The Government, in accordance with the amended Annex I and Annex II to the Basic Law, amended the related local legislation with a view to improving the electoral system of the HKSAR. The amendments in relation to the DC elections under the Ordinance include the following:

- (a) introducing a new offence under the ECICO to prohibit any person from inciting another person not to vote or to cast a blank or invalid vote by way of public activity during an election period, and stipulating that any person who wilfully obstructs or prevents another person from voting at an election commits an offence of corrupt conduct;
- (b) implementing the electronic poll register system (“EPR System”) in DC elections and amending the relevant provisions of subsidiary legislation under the EACO, including:

- (i) specifying the manner of making a record on the electronic copy or extract of the final register (“FR”) upon issuance of the ballot paper to an elector so as to accommodate the use of the EPR System;
 - (ii) specifying that the FR in printed form (if used) should be sealed in packets at the close of the poll, and that the FR (whether in printed, electronic or extract form) should be retained for at least six months after a poll before destruction; and
 - (iii) introducing new provisions to implement the electronic copy or extract of the FR for the purpose of the relevant ballot paper issuance process; stipulating the permitted use of the electronic copy or extract of the FR; empowering the EAC to authorise access to the electronic copy or extract of the FR for specific purposes (such as for technical maintenance and for use in the ballot paper issuance process); and providing for the offences in relation to accessing the electronic copy or extract of the FR without lawful authority, damaging any data or information contained in the electronic copy or extract of the FR, or tampering with the electronic copy or extract of the FR;
- (c) enhancing the compilation and inspection of the registers of electors: to ensure a transparent mechanism for inspecting the registers of electors while protecting the privacy of electors’ personal particulars. The enhanced measures include:

- (i) restricting access to the parts of registers containing entries relating to individual electors only to the press subscribing to the Government News and Media Information System, parties/organisations meeting the specified requirements and validly nominated candidates of the relevant election, while the parts of the registers containing only entries relating to corporate electors will be made available for public inspection;
 - (ii) redacting partially electors' personal particulars on the registers of electors; and
 - (iii) extending the requirement for address proof to all new voter registration ("VR") applications;
- (d) empowering the Presiding Officers ("PROs") to set up a special queue for electors 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);
- (e) empowering the Chief Electoral Officer ("CEO") to require schools and non-government organisations receiving grants from the Government to make available their premises for use as polling stations and/or counting stations in public elections; and

- (f) abolishing the withholding of financial assistance payable until disposal of election petitions arising from DC elections.

2.8 The Improving Electoral System (Consolidated Amendments) Bill 2021, tabled by the Government to the LegCo on 14 April 2021, was passed on 27 May 2021. Most of the amendments came into operation on the date of publication in the Gazette (i.e. 31 May 2021).

Section 4 – Personal Data (Privacy) (Amendment) Ordinance 2021

2.9 A large number of doxxing cases (i.e. extensive leaking of personal data) have taken place in society since June 2019, where personal data of target person(s) or related person(s) was collected and then published and reposted on the Internet, social media or other public platforms. Thereupon, the Government tabled the Personal Data (Privacy) (Amendment) Bill 2021 to the LegCo on 21 July 2021 to stipulate doxxing as a criminal offence. The Personal Data (Privacy) (Amendment) Bill 2021 was passed by the LegCo on 29 September 2021 and came into operation from 8 October 2021.

2.10 The amended Ordinance applies to the doxxing acts of disclosing personal data contained in the final registers of electors for geographical constituencies (“FR of GCs”) and the register of electors for District Committees constituencies (“DCC register”). According to section 64(3A) of the amended Personal Data (Privacy) Ordinance (Cap. 486) (“PD(P)O”), a person commits an offence if he/she (as a discloser) discloses any personal data relating to a person

(as a data subject) contained in any register of electors or in any extract of any register of electors without the relevant consent of the data subject with an intent to cause any specified harm² to or being reckless as to whether any specified harm would be (or would likely be) caused to the data subject or any family member of the data subject, the discloser will be liable on summary conviction to a fine of \$100,000 and to imprisonment for 2 years. According to section 64(3C) of the amended PD(P)O, if the disclosure causes specified harm to the data subject or any family member of the data subject, and satisfies the elements of the offence under section 64(3A), the discloser will be liable for conviction on indictment to a fine of \$1,000,000 and to imprisonment for 5 years.

Section 5 – District Councils (Amendment) Ordinance 2023

2.11 At the meeting of the Executive Council on 2 May 2023, the Council advised and the CE ordered that: (1) DCs should be reformed by amending the relevant legislation and implementing administrative arrangements; and (2) the district governance structure should be strengthened.

2.12 For the corresponding amendments to legislation, the Constitutional and Mainland Affairs Bureau (“CMAB”) worked with the Home and Youth Affairs Bureau (“HYAB”) on the drafting of the Amendment Bill so as to amend the DCO and its subsidiary legislation. The bill concerned also covers amendments to the

² In accordance with section 64(6) of the PD(P)O, “specified harm”, in relation to a person, means (a) harassment, molestation, pestering, threat or intimidation to the person; (b) bodily harm or psychological harm to the person; (c) harm causing the person reasonably to be concerned for the person’s safety or well-being; or (d) damage to the property of the person.

EACO, the ECICO and other subsidiary legislation to implement the electoral arrangements relevant to the method for the returning of DC members and the eligibility review. On 31 May 2023, the Government introduced the the Amendment Bill to the LegCo. The bill was passed by the LegCo on 6 July 2023. The District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023. The amendments in relation to the DC elections under the Ordinance include the following:

- (a) improving the composition of the DCs and stipulating the methods for the returning of DC members:
 - (i) The total number of seats in DCs is 470, which will be composed of appointed members, ex officio members, DCGC members and DCC members. The appointed members (179 seats) are appointed by the CE, while the ex officio members (27 seats) are filled by the Chairmen of Rural Committees. The DCGCs and the newly established DCCs take up 88 and 176 seats respectively with members to be returned by elections;
 - (ii) For the DCGCs, there are a total of 44 DCGCs in the 18 Districts with two members returned for each DCGC. The “double seats and single vote” voting system is adopted. Each elector may vote for one candidate for the respective DCGC. The two candidates who obtain the greatest and the next greatest numbers of votes shall be returned as members for that DCGC; and

- (iii) As regards the DCCs, DCC members are elected by members of the District Committees who have registered as the GC electors. The “block vote” voting system is adopted. Each DCC elector must vote for no more and no less than the number of seats for that DCC, otherwise the ballot paper will be deemed as invalid;
- (b) amending the nomination of DC elections: candidates of both the DCC and DCGC elections should be nominated by three members (but not more than six) of each of the District Committee in the district. Moreover, a candidate of the DCGC election has to obtain the nominations of at least 50 but not more than 100 electors in the DCGC;
- (c) establishing the DCERC, and stipulating that the DCERC is to review and confirm the eligibility of any person proposed to be appointed as a member, proposed to be registered as an ex officio member and nominated as a candidate;
- (d) stipulating the compilation and publication of the FR of GCs and the DCC register;
- (e) stipulating that if an elector is eligible to vote at both the DCC and DCGC elections, the CEO may assign two polling stations to the elector for casting the two votes respectively;
- (f) stipulating the electoral arrangements in relation to the DCC; and

- (g) stipulating the maximum amount of election expenses applicable for DCC and DCGC elections from the 2023 DC Ordinary Election onwards.

2.13 The District Councils (Amendment) Ordinance 2023 also merged the 452 DC constituency areas (“DCCAs”) of the sixth term of DCs into 44 DCGCs. In view of the extremely short time until the end of the sixth term of DCs, the Government, by making reference to the arrangement of the Improving Electoral System (Consolidated Amendments) Ordinance 2021, suspended the application of the part regarding the delineation of geographical constituencies (“GCs”) by the EAC under the EACO for the seventh term of DCs. Instead, the Government directly conducted the delineation of GCs³.

2.14 In formulating the delineation proposal, the Government has suitably divided the number of the existing contiguous DCCAs evenly and then merged them into larger DCGCs to preserve community integrity and ensure that the populations covered by the new GCs within the same district are roughly the same.

2.15 In accordance with the amended DCO, the boundaries of the existing 18 Districts remain unchanged and there are a total of 44 DCGCs in the 18 Districts. For the number and names of the DCGCs in each district, see **Appendix II** for details.

³ Under section 4(a) of the EACO, one of the functions of the EAC is to consider or review the boundaries of DC constituencies for the purpose of making recommendations on the boundaries and names of constituencies for a DC ordinary election.

2.16 The boundary maps and descriptions of the DCGCs of the 2023 DC Ordinary Election were uploaded onto the EAC's website on 11 July 2023, and were made available for public viewing at the REO, the Home Affairs Enquiry Centres of all District Offices ("DOs"), management offices of public housing estates, as well as all public libraries.

2.17 For the ordinary election for the eighth term of the DC onwards, the EAC will continue to discharge its statutory function of reviewing the boundaries of the DCGCs in accordance with the requirements of the EACO.

CHAPTER 3

VOTER REGISTRATION

Section 1 – Eligibility to Vote and Qualification for Registration

3.1 In accordance with section 29 of the DCO, only electors of DCGC and DCC are eligible to vote in this election for their respective constituencies. The names of the electors are contained in the FR of GCs published on 25 September 2023 and the DCC register published on 9 October 2023. The LCO and DCO stipulate the qualification for becoming an elector of GC and DCC respectively, and the circumstances under which an elector is disqualified from voting at an election.

District Council Geographical Constituencies (“DCGCs”)

3.2 To qualify for registration as a GC elector and inclusion in the 2023 FR of GCs, a person has to satisfy the following requirements:

- (a) he/she attained the age of 18 years as at 25 September 2023;
- (b) he/she is a permanent resident of Hong Kong;
- (c) (i) he/she ordinarily resides in Hong Kong and at the time of applying for registration, the residential address in his/her

application for registration is his/her only or principal residence in Hong Kong; or

(ii) if he/she is a person serving a sentence of imprisonment and at the time of the application does not have a home in Hong Kong outside the penal institution, the following prescribed address is deemed to be the person's only or principal residence in Hong Kong for the purpose of voter registration:

(1) the last dwelling place in Hong Kong at which the person resided and which constituted his/her sole or main home; or

(2) the residential address of the person last recorded by the Immigration Department ("ImmD") under the Registration of Persons Regulations (Cap. 177A) if the person cannot provide any proof on his/her last dwelling place in Hong Kong.

(d) he/she holds a valid identity document or has applied for a new identity document or replacement identity document; and

(e) he/she is not disqualified from being registered as an elector by virtue of section 31 of the LCO.

3.3 Section 24(2) of the LCO provides that a person is not, by virtue of being registered as an elector in an existing FR of GCs, entitled to be included

as an elector in any subsequent register if the Electoral Registration Officer (“ERO”) is satisfied on reasonable grounds that the person no longer resides at the residential address recorded against the person’s name in that existing register and the ERO does not know the person’s new principal residential address (if any) in Hong Kong. The VR system in Hong Kong operates on a self-declaration mechanism. The subsisting legislation does not make it mandatory for electors to update their residential addresses. Therefore, even if an elector has failed to report changes in the registered residential address, as long as his/her registration particulars remain in the register, he/she remains eligible under the relevant legislation to vote in the DCGC allocated according to the principal address as recorded against his/her name in the register.

District Committees Constituencies (“DCCs”)

3.4 Pursuant to section 5A of the DCO, the DCC of a District is composed of all members of “the three committees” in the same District, who must also be registered as electors in the existing FR of GCs. Electors of the DCC do not need to register separately. The ERO will request information from the Director of Home Affairs (“DHA”) and compile the DCC register not later than seven days before the beginning of the nomination period for the election.

Section 2 – Registration Regulations for District Council Geographical Constituency (“DCGC”)

3.5 To implement the VR procedures, the EAC has formulated the EAC (ROE) (GC) Reg to regulate the registration of GC electors.

3.6 To enhance the accuracy of the registered particulars of the electors, applicants/electors who submit new applications for registration as GC electors or applications for change of registered addresses are required to submit address proofs issued in the last three months at the same time. For applicants/electors who are the authorised occupants of public rental housing under the Housing Department or registered residents in the tenancy of subsidised housing under the Hong Kong Housing Society, if the addresses in the tenancy records match the residential addresses provided by the applicants/electors, the address proof requirement for such electors may be exempted. According to the Improving Electoral System (Consolidated Amendments) Ordinance 2021, the requirement to submit address proofs was extended to all new VR applications with effect from 1 May 2022.

Section 3 – The Voter Registration (“VR”) Campaign

3.7 The REO launched the 2023 VR Campaign on 28 April 2023. The overall objectives of the VR campaign were to encourage eligible persons of all relevant age groups to register as electors before the deadline; remind registered electors to update their registration particulars with the REO when necessary;

remind the public to provide address proofs when making new registration or applying for change of residential addresses; promote the deadline for updating registration particulars and making new registration (i.e. 2 June 2023); encourage electors to provide/update their telephone numbers and email addresses to/with the REO so that the REO can contact them for follow-up if necessary and that electors can receive election mails from validly nominated candidates; remind registered electors to use the Online Voter Information Enquiry System or the service of the REO hotline to verify their registration status and check their registration particulars; and remind electors to reply to the inquiry letters issued by the REO by the statutory deadline (i.e. 2 June 2023). The VR campaign comprised two phases to disseminate to the public information and statutory deadlines on change of VR particulars, application for new registration as well as submission of claim and objection. The VR campaign was co-ordinated by the CMAB with the joint efforts of the REO, the Home Affairs Department (“HAD”), the Information Services Department (“ISD”), Radio Television Hong Kong (“RTHK”) and the ICAC. To ensure the accuracy of the registration particulars contained in the register of electors, the Government has stepped up publicity efforts through the VR campaign to impress upon the public the importance of providing true and accurate information on VR, and to remind registered electors to fulfil their civic responsibility by proactively updating the REO on any change of their registered residential addresses. Address proofs must be provided to the REO for making new registration and updating registered residential addresses. Multiple publicity and promotional activities were staged during the above-mentioned period, such as Announcements of Public Interest (“APIs”) broadcast on television and radio, advertisements in newspapers, at major Mass Transit Railway (“MTR”) stations and on public

transport, as well as display of posters and banners in different places. The details of these activities are set out in ensuing paragraphs.

3.8 Throughout the VR campaign period, to achieve the objectives set out in paragraph 3.7 above, a wide array of publicity activities were staged by the Government, including broadcast of APIs of the VR campaign on television, online platforms and radio; display of advertisements on social media platforms, websites, mobile applications, public and private housing estates, as well as the public transport system such as vehicle bodies of buses and trams, MTR stations and bus stops; display of posters, lamppost buntings and banners, etc. at exterior walls of government buildings and in different districts; and distribution of souvenirs in various districts. During the campaign period, VR counters were set up in government office buildings and tertiary institutions, and roving VR counters were also set up at various high-traffic locations (including MTR stations and large shopping malls). Home visits were made to newly occupied housing estates to appeal to and assist eligible persons to register as electors or update their registration particulars.

3.9 Throughout the VR campaign, people of different age groups and all walks of life were reached through community promotion to encourage registration as electors and updating of residential addresses. Leaflets printed by the ICAC were also distributed to remind the public of the importance of providing true and accurate information for registration as electors, and disseminate the message that any person who knowingly or recklessly gives false or misleading information on VR commits an offence no matter the person concerned has voted at an election or not. Besides, roving registration counters

were set up by the REO at six Registration of Persons Offices of the ImmD. VR Assistants were deployed thereat to assist the public in registering as electors or updating their registration particulars. When applying for replacement of a smart identity card, a registered elector could choose whether to give consent for the ImmD to transfer his/her personal particulars to the REO for verifying particulars on the registers of electors. If the REO, after verifying the relevant information, found any discrepancy between the elector's principal residential address and the one recorded in the registers of electors, the REO would send a letter to the elector to request for provision of address proof so as to further process his/her application for change of registered address.

3.10 In addition, the REO sent letters to households who had moved into newly completed housing estates appealing to them to update their changes in registered addresses. In case they had not yet registered as electors, they were invited to make registration before the statutory deadline (i.e. 2 June 2023).

Section 4 – Checking Measures on Voter Registration (“VR”)

3.11 To enhance the accuracy and integrity of the registration particulars of electors, the REO implemented various checking measures, including inquiries on cases of undelivered poll cards for the previous elections, verification checks on the registered residential addresses of electors through cross-matching with the Housing Department, Hong Kong Housing Society, HAD and ImmD, and conduct of inquiry process. In addition, ever since the 2012 VR cycle, the REO has stepped up publicity efforts to remind the public of the importance of

providing true and accurate information for registration as electors and updating their registration particulars, especially the principal residential addresses provided. Meanwhile, the REO has strengthened the checking procedures, including checks on the registered residential addresses with multiple electors or multiple surnames of electors, random sample checks on the existing registered electors, checks on incomplete or suspected non-residential registered addresses, and checks on the registered addresses situated at demolished buildings or buildings pending demolition.

3.12 Apart from the above-mentioned checking measures, the REO has, since the 2016 VR cycle, further enhanced its efforts on cross-matching of the registered addresses with other government departments to enhance the accuracy of the registration particulars of electors. These measures include:

- (a) liaising with the Buildings Department to obtain the latest information regarding the list of demolished buildings or vacated buildings pending demolition;
- (b) liaising with the Urban Renewal Authority to obtain information on buildings for which acquisition and relocation of occupiers have been completed; and
- (c) collaborating with DOs to identify buildings to be demolished or already vacated.

In addition, the REO has been collaborating with the ImmD since 2019 to arrange for electors to update their registered residential addresses when applying for replacement of their smart identity cards and follow up on cases of electors failing to respond to the appeal letters issued by the REO.

3.13 In the 2023 VR cycle, the number of electors covered by various checking measures implemented by the REO accounted for about 173 000 out of the 4.41 million electors on the 2022 FR of GCs. Among them, the REO had reasonable grounds to suspect that the registered residential addresses of about 99 700 electors were no longer their only or principal residences in Hong Kong based on the checking results. The REO therefore issued inquiry letters to the electors concerned in accordance with the relevant electoral legislation and requested them to confirm whether their registered residential addresses in the FR remained as their only or principal residential addresses. About 18 600 of these electors submitted valid replies on or before the statutory deadline (i.e. 2 June 2023). The remaining approximately 81 100 electors who failed to provide valid replies as required by the inquiry process were then included in the omissions list (“OL”). If electors who were included in the OL wished to reinstate their VR, they had to reply to the reminding letters issued by the REO or lodge a claim for consideration by the Revising Officer (“RevO”) on or before the statutory deadline (i.e. 25 August 2023). Out of the 81 100 electors concerned, about 9 800 electors provided valid replies before the statutory deadline and with the approval of the RevO, their names were ultimately reinstated in the FR. For the remaining 71 300 or so electors, they were not included in the FR because they failed to provide the relevant information in accordance with the electoral legislation. The outcome of the checking

exercise showed that the inaccuracies detected in respect of registered residential addresses were mainly due to the failure on the part of electors to update their registered residential addresses with the REO in a timely manner after relocation.

Section 5 – The Provisional and Final Registers of Geographical Constituencies (“GCs”)

3.14 In the 2023 VR cycle, there were 31 426 newly registered electors and the REO processed about 668 000 applications from the registered GC electors for updating their particulars.

3.15 The REO published the Provisional Register (“PR”) of GCs on 1 August 2023. The PR of GCs contained the names and principal residential addresses of electors who were included in the last FR and whose particulars had been updated by the REO based on information reported by the electors concerned or obtained from other sources. The PR of GCs also contained the particulars of eligible applicants who had applied for registration as electors on or before the statutory deadline (i.e. 2 June 2023).

3.16 An OL was also published by the REO on 1 August 2023. The OL contained the particulars of persons who were formerly in the 2022 FR but were not included in the 2023 PR and were proposed to be omitted from the 2023 FR on the grounds that the ERO had reasons to believe that these persons had been disqualified or had ceased to be eligible for registration (e.g. persons who had passed away, who had voluntarily deregistered, who failed to respond to the

inquiry process). After deducting about 240 electors who passed away during the inquiry process, the number of electors who were included in the OL as a result of failure to respond to the above-mentioned inquiry process was about 81 100.

3.17 Both the 2023 PR of GCs and the OL were made available for inspection by specified persons from 1 to 25 August 2023. Electors might check their registration status and particulars, including whether they had been included in the OL, by visiting the voter registration website (vr.gov.hk). The PR and the OL were also available at the two REO offices for inspection by specified persons during the above-mentioned period. According to the law, only bodies/organisations meeting the specified requirements and members of the press who are subscribers of the Government News and Media Information System are entitled to inspect a copy of the PR of GCs and the OL. Only the first Chinese character or the first word of the name (depending on the language in which the name is recorded) of an elector, his/her registered residential address and constituency are shown on the register and OL for inspection. During the above-mentioned period, members of the public might lodge objections with the ERO against any entries in the PR. Any person whose name had not been recorded in the PR, whose particulars had not been accurately recorded or whose name had been put on the OL might also lodge claims with regard to their cases.

3.18 Upon the deadline for lodging claims and objections (i.e. 25 August 2023), the ERO did not receive any notice of objection and notice of claim related to GC electors.

3.19 The 2023 FR of GCs was published on 25 September 2023. The FR of GCs contained 4 333 106 electors. An age and sex profile of these registered electors is at **Appendix III**.

Section 6 – Designation of Electors to Constituencies

3.20 The District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023. The delineation of the DCGCs for the 2023 DC Ordinary Election also came into effect on the same day. In accordance with the amended DCO, the boundaries of the existing 18 Districts remain unchanged and there are a total of 44 DCGCs in the 18 Districts. The REO then proceeded to designate each of the registered electors to a constituency according to their registered residential addresses as shown in the FR.

3.21 The REO sent a notice to each elector from September to October 2023 informing him/her of the DCGC to which he/she was designated.

Section 7 – Register of Electors for District Committees Constituencies (“DCC register”)

3.22 Pursuant to section 1 of Schedule 4A to the DCO, the DCC register was released on 9 October 2023. There were a total of 2 533 electors in the register, including members of the Area Committees, District Fight Crime

Committees or District Fire Safety Committees in the 18 Districts who have been registered as electors in the existing FR of GCs.

3.23 The REO sent a notice to each DCC elector in October 2023 informing him/her of the DCCs and the name of committees to which he/she was designated.

3.24 Pursuant to section 8(1) of Schedule 4A to the DCO, the ERO amended the DCC register upon notification from the DHA on the change in the membership of the District Committees. The amendment to the DCC register was gazetted on 8 December 2023. After the amendment (up to the polling day of this election), a total of 2 532 electors were included in the register. The number of DCC electors in each district is at **Appendix IV**.

3.25 According to the law, only bodies/organisations meeting the specified requirements, members of the press who are subscribers of the Government News and Media Information System and persons who are validly nominated candidates of a relevant DCC are entitled to inspect a copy of the DCC register. Only the first Chinese character or the first word of the name (depending on the language in which the name is recorded) of an elector, his/her registered residential address and constituency are shown on the register for inspection. A copy of the DCC register was available for inspection at the two REO offices from 9 October 2023 until the completion of this election.

CHAPTER 4

THE GUIDELINES

Section 1 – The Preparatory Work

4.1 Under section 6(1)(a) of the EACO, the EAC is empowered 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, honest and fair manner. The EAC will update the electoral guidelines before each public election. On the basis of the existing electoral guidelines, revisions are made taking into account changes in electoral laws and experience drawn from previous elections. The electoral guidelines are not law, and cover the following two aspects: (1) to explain the subsisting electoral laws so as to remind candidates and other stakeholders of the provisions and requirements under the electoral laws; and (2) to promulgate a code of conduct based on the principle of fairness and equality with regard to election-related activities not stipulated by the law.

4.2 Although section 6(2) of the EACO stipulates that the EAC shall consult the public in relation to the electoral guidelines, exceptions are allowed when the EAC considers that such consultation is not practicable due to the existence of an urgent need to issue the electoral guidelines. The EAC did not conduct public consultation on the Guidelines on Election-related Activities in respect of the District Council Election (“the Guidelines”) this time, mainly

because the District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023, and the EAC had to update the Guidelines in accordance with the amended electoral laws for application in the 2023 DC Ordinary Election held on 10 December 2023. Thus, the schedule for issuing the Guidelines was very tight. In addition, major changes in the Guidelines aimed to reflect the amendments made to the District Councils (Amendment) Ordinance 2023 and other laws, which had been discussed and passed by the LegCo. The EAC therefore considered it not necessary to conduct public consultation on the Guidelines.

4.3 On the basis of the edition issued in September 2019, the EAC updated the Guidelines in light of the changes made to the composition and returning method of DCs under the District Councils (Amendment) Ordinance 2023 to reflect the new arrangements and procedures of DC elections. The updated Guidelines would apply to the 2023 DC Ordinary Election on 10 December 2023 and any DC by-elections afterwards. Reference was also made to other electoral guidelines published between 2020 and 2022, other legislative amendments in respect of DC elections as mentioned in Chapter 2, as well as the operational experience gained in past elections for this update of the Guidelines.

Section 2 – Publication of the Guidelines

4.4 The EAC published the updated Guidelines on 28 September 2023 and informed the public through a press release. The Guidelines were

uploaded onto the EAC's website and made available for public viewing at the REO and Home Affairs Enquiry Centres on the same day. The REO also provided the Guidelines to candidates for their reference.

CHAPTER 5

APPOINTMENTS AND NOMINATIONS

Section 1 – District Council Eligibility Review Committee (“DCERC”)

5.1 On 6 July 2023, the LegCo passed the Amendment Bill, and the amendments included the establishment of the DCERC. The amended DCO stipulates that the DCERC is responsible for reviewing and confirming the eligibility of all candidates standing for elections, as well as appointed and ex officio members. In deciding the eligibility of a person, the DCERC is to seek the opinion of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region (“Committee on National Security”) as to whether the person fails to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the HKSAR of the PRC. If an opinion is given by the Committee on National Security, the DCERC must take the decision in accordance with the opinion.

5.2 Under section 10A of the DCO, the DCERC consists of the chairperson, at least two but not more than four official members and at least one but not more than three non-official members. Each member of the DCERC is 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. 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 record. The Government, by notice published in the Gazette, appointed the chairperson and members of the DCERC on 11 October 2023, with Mr CHAN Kwok-ki, the Chief Secretary for Administration, as the chairperson, three official members including Mr Erick TSANG Kwok-wai, the Secretary for Constitutional and Mainland Affairs ("SCMA"), Mr TANG Ping-keung, the Secretary for Security, and Miss Alice MAK Mei-kuen, the Secretary for Home and Youth Affairs and three non-official members including Miss Maria TAM Wai-chu, Professor WONG Yuk-shan and Mr Johnny MOK Shiu-luen. The appointment took effect from 11 October 2023.

5.3 The nomination period for this election commenced on 17 October 2023 and ended on 30 October 2023. A total of 399 nomination forms (excluding one nomination form of a withdrawn candidate) were received by the Returning Officers ("ROs") of the 18 DCCs and 44 DCGCs during the nomination period. Having reviewed the eligibility of the 399 candidates, the DCERC published a notice in the Gazette on 10 November 2023 to declare that all nominations of candidates were valid.

Section 2 – Appointment of Returning Officers ("ROs") and Briefing Session for ROs

5.4 The EAC published a notice in the Gazette on 28 September 2023 appointing 18 District Officers of the HAD as ROs for the DCCs and DCGCs respectively.

5.5 The EAC Chairman held a briefing session for the ROs at the North Point Community Hall on 3 October 2023. The briefing session was also attended by the CEO of the REO and representatives from the Department of Justice (“DoJ”) and the ICAC. The EAC Chairman highlighted a number of important matters and relevant electoral arrangements for the ROs’ attention, including the DCO, the nomination procedures, the work of the DCERC and the ROs, appointment of agents, polling and counting arrangements, matters relating to the No Canvassing Zone (“NCZ”) and No Staying Zone (“NSZ”), provisions in the legislation and the guidelines governing election advertisements (“EAs”), and handling of complaints. The EAC Chairman also reminded the ROs to carry out the electoral work in compliance with the relevant legislation and electoral guidelines to ensure that the election would be conducted in an open, honest and fair manner. The representative from the ICAC also briefed the participants on the major provisions of the ECICO and the procedures for referring complaints related to the ECICO to the ICAC.

Section 3 – Appointment of Assistant Returning Officers (“AROs”)

5.6 To provide assistance to the ROs in discharging their duties, the EAC appointed 38 Assistant Returning Officers (“AROs”) who were senior officers of the HAD. Besides, the EAC also appointed 39 qualified legal officers as AROs(Legal) to provide legal advice to the ROs and PROs and to assist in determining the validity of questionable ballot papers during the count.

Section 4 – Appointment of Nominations Advisory Committees (“NACs”)

5.7 The EAC appointed nine legal professionals each constituting a Nominations Advisory Committee (“NAC”) under the EAC (NAC) (DC) Reg to provide the prospective candidates and ROs with advice on matters relating to whether a prospective candidate is eligible to be nominated, or disqualified from being nominated (i.e. matters as provided in sections 20 and 21 of the DCO), when necessary. Nevertheless, according to section 1(2) of EAC (NAC) (DC) Reg, the NACs are not empowered to advise on any matter relating to the requirements stipulated in section 34 of the DCO (including the declarations by candidates on upholding the Basic Law and bearing allegiance to the HKSAR of the People’s Republic of China, and the lodging of deposit by candidates) (see paragraph 5.12 below for details). Members of the NACs included Mr Jin PAO, Senior Counsel, Mr Derek CHAN, Senior Counsel, Mr Johnny MA, Senior Counsel, Mr Anthony CHAN, Senior Counsel and Mr Mike LUI, Senior Counsel, as well as barristers-at-law Mr Kevin CHAN, Ms Grace CHOW, Mr Adrian LAI and Ms Ann LUI. They were experienced members of the legal profession not affiliated with any political organisations. Their appointment was published in the Gazette on 15 September 2023. During their appointment period, the NACs received a total of six requests from prospective candidates for legal advice. The legal 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 rests with the DCERC.

Section 5 – Briefing Sessions for Electors of District Committees Constituencies (“DCCs”)

5.8 Under the new electoral system of the DC Elections, electors of the DCCs are responsible for nominating candidates for the DCCs and DCGCs. To facilitate the exercise of their right to nominate, the REO organised 18 briefing sessions in October 2023 for the DCC electors in the 18 Districts respectively to introduce the composition of the seventh term of DCs and to explain in detail the nomination mechanism of this election, the points to note in completing the nomination forms, the polling arrangements, etc. The numbers of candidates that a DCC elector could nominate in respect of their DCCs/DCGCs were also specified in the briefing sessions.

Section 6 – Nomination of Candidates

5.9 The two-week nomination period (17 to 30 October 2023) was published in the Gazette on 28 September 2023 by the CEO. Individuals seeking candidature were required to submit their nomination forms in person to the relevant ROs during the nomination period.

5.10 Legislative provisions governing the eligibility for being nominated as a candidate at the DC election, the disqualification from being nominated as a candidate or elected as a DC Member, and the requirements to be complied with by nominated candidates are set out respectively in sections 20, 21 and 34 of the DCO. In addition, as stipulated in section 34(1A)(c) of the DCO, the

nomination of a candidate is invalid unless a declaration is made in the nomination form to the effect that he/she will uphold the Basic Law and bear allegiance to the HKSAR of the PRC.

5.11 According to the DCO and EAC (EP) (DC) Reg, the validity of nomination is decided by the DCERC. The DCERC will make a decision on the validity of a nomination as soon as practicable upon receipt of the nomination form and publish a notice stating which persons are validly nominated as candidates within 14 days after the close of the nomination period. In determining whether a candidate is validly nominated, the DCERC may request the RO to advise the DCERC as to any of the matters specified in section 16(3B) of the EAC (EP) (DC) Reg, for example, whether the candidate is eligible to be nominated or disqualified from being nominated as a candidate. The DCERC and ROs may also require the candidate to furnish any other information that they consider appropriate to enable the DCERC to be satisfied that the candidate is eligible to be nominated; or otherwise as to the validity of the nomination.

5.12 Under the subsisting law, the validity of a candidate's nomination is solely determined by the DCERC, and the EAC is neither empowered nor involved in the making of such decision. The EAC will not provide any advice, but will only make arrangements for an election for the validly nominated candidates determined by the DCERC. In accordance with section 19 of the EAC (EP) (DC) Reg, if the DCERC decides that a nomination of a candidate is invalid, the DCERC must endorse on the nomination form the decision and the reason(s) for it. The RO will inform the candidate concerned and each validly nominated candidate for the constituency concerned of the decision of the

DCERC, and will make available a copy of the nomination form for public inspection pursuant to section 14 of the EAC (EP) (DC) Reg. If any person is disqualified from being a candidate at an election (except for the decision made by the DCERC pursuant to the opinion of the Committee on National Security), he/she may make an election petition to question the result of the election in accordance with section 49 of the DCO.

5.13 By the end of the nomination period, a total of 400 nomination forms were received by the ROs for the 18 DCCs and 44 DCGCs. Out of these nomination forms, 228 were received by the ROs for the DCCs and 172 were received by the ROs for the DCGCs (including one nomination form of a withdrawn candidate).

5.14 The number of nomination forms received by the ROs for the DCCs and DCGCs in the nomination period, as well as the number of nominations ruled valid or invalid by the DCERC as published in the Gazette on 10 November 2023 are tabulated below:

| | No. of nomination forms received | No. of validly nominated candidates | No. of invalidly nominated candidates |
|--------------|---|--|--|
| DCCs | 228 | 228 | 0 |
| DCGCs | 172 | 171 (excluding one withdrawn candidate) | 0 |

Section 7 – Lots Drawing Sessions and Briefing Session for Candidates

5.15 Under section 52 of the EAC (EP) (DC) Reg, the ROs conducted lots drawing on 8 November 2023 at the Kowloon Park Sports Centre to determine the order of the names of the candidates for the DCCs and DCGCs on the ballot papers and to allocate a set of the designated spots for display of EAs.

5.16 The EAC will organise a briefing session for all 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 laws and guidelines.

5.17 In this election, the EAC Chairman held a briefing session for the candidates on 13 November 2023 at the Queen Elizabeth Stadium. The CEO, and representatives from the DoJ, ICAC and Hongkong Post also attended the briefing session. The briefing session aimed to introduce to the candidates the electoral arrangements of this election and the points to note in relation to electioneering activities. Major topics included polling stations and polling arrangements, details of NCZs and NSZs, arrangements for vote counting and declaration of election results, requirements pertaining to election expenses, donations, election meetings and EAs, deadline and requirements for lodging election returns and claims for financial assistance, and the need to protect the privacy of electors with respect to personal data used for electioneering purpose. Representatives from the ICAC and Hongkong Post introduced respectively the ECICO as well as the arrangements and requirements of the free postage service for election mail. The relevant information and the link to the video of the

briefing session were also uploaded onto the dedicated election website for candidates' reference and review.

Section 8 – Introduction to Candidates (“the Introduction”)

5.18 In accordance with section 34 of the EAC (EP) (DC) Reg, the poll cards, along with the Introduction to Candidates (“the Introduction”), the location map of the polling station, the Guidance on Voting Procedure and the ICAC leaflet on clean election, were sent to each registered elector at least 10 days before the polling day by the REO. The Introduction contained the name, photograph, electoral message and other details of each candidate, so as to facilitate electors in making an informed choice when casting their votes for particular candidates. For the sake of environmental protection, these documents were printed on paper made from wood-pulp derived from sustainable forests with environmentally friendly ink used.

5.19 To assist persons with visual impairment in reading the content of the Introduction, the REO continued to appeal to candidates to provide typed texts of their messages to enable persons with visual impairment to read the content of the document with the aid of computer software. The typed texts have been uploaded onto the dedicated election website.

CHAPTER 6

POLLING AND COUNTING ARRANGEMENTS

Section 1 – Recruitment of Polling and Counting Staff

6.1 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, set-up work for polling and counting stations, etc. before the election.

6.2 Having reviewed the past practice, the Government adopted the recommendation by the EAC in the Report on the 2020 LegCo General Election to adopt a different approach in the recruitment of polling and counting staff, under which the Heads of Department/Grade would nominate suitable and sufficient serving civil servants to serve as electoral staff of various ranks. This new arrangement was put in place for the first time in the 2021 LegCo General Election. The REO also adopted the same arrangement in this election, and issued a circular memorandum in August 2023 to invite Directors of Bureaux and Heads of Departments to nominate serving civil servants to serve as electoral staff.

6.3 This election was the first large-scale territory-wide election under the reformed DCs and improved district governance, which was of particular significance. Following the optimisation of the composition of DCs and the methods of filling those seats, as well as the arrangements implemented in this election, such as the continued adoption of the EPR System and setting up of special queues for electors in need, etc., the REO deployed over 30 000 electoral staff to be responsible for polling, counting and support duties on the polling day, in order to ensure that there would be sufficient manpower to handle the operation of more than 600 DCGC ordinary polling stations (“OPSs”), the 18 polling stations for the newly established DCCs and the “Near Boundary Polling Stations” (“NBPSs”) located at two schools near Sheung Shui MTR station.

6.4 Those 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 generally would not be deployed to polling stations where they would cast their votes to avoid any actual or perceived conflicts of interests. Each appointee was also required by the REO 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/counting stations concerned. This arrangement would help ensure the neutrality and independence of the electoral arrangement and maintain the integrity of the election.

6.5 In deploying staff to the polling stations, the REO would take into account the operational needs of individual polling stations, the working experience of a staff member in previous elections, and would arrange the staff

to work in the polling station that is proximate to the district where he/she resides as far as possible.

Measures to Facilitate Electoral Staff to Vote

6.6 To facilitate polling staff to cast their votes, PROs would arrange polling staff to cast their votes at their assigned polling stations in batches. Besides, the following measures were taken in this election, with a view to allowing polling staff to resume their duties after voting as soon as practicable:

- (a) since polling staff were required to be on duty throughout the entire polling hours, in order to avoid delaying their resumption of duties due to long queue for voting, they could present the polling staff identification of their respective polling stations to the staff on duty at the polling stations concerned and be permitted to queue in the special queue for collection of ballot papers;
- (b) for staff performing electoral duties at the NBPSs or nearby areas (including the more than ten polling stations located near Sheung Shui MTR station) who were also registered electors of DCGCs, the REO had made a special arrangement for them to cast their votes at the NBPSs; and
- (c) Civil Service Bureau (“CSB”)’s special approval was given for polling staff to take taxi travelling between the polling stations where they were deployed to work and their assigned polling stations to vote in this

election. The taxi fare incurred would be reimbursed in full upon production of receipts certified by their PROs.

6.7 Apart from the polling staff, the following law enforcement officers, subject to compliance with specified conditions and verification by their departments, might also be permitted to enter their assigned polling stations for priority queuing to collect ballot papers after presenting the approval letter issued by the relevant departments to the polling staff therein, so that they could resume their duties after voting as soon as practicable:

- (a) officers of the disciplined services (including the Police, ImmD, Customs and Excise Department, Correctional Services Department (“CSD”), Fire Services Department, Auxiliary Medical Service, Civil Aid Service and Government Flying Service) who were required to work long hours on the polling day to perform security duties related to the election, maintain public order or participate in other special/emergency duties, or whose work locations (e.g. outlying islands) were far away from their assigned polling stations; and
- (b) ICAC officers who were required to work long hours on the polling day to assist the PROs handle complaints and enquiries related to the ECICO, and take immediate intervention or law enforcement actions as and when necessary.

Section 2 – Polling-cum-counting Station Management Training for Polling Staff at Supervisory Rank

6.8 Given the important role played by PROs and DPROs in the election, the REO organised a polling-cum-counting station management training session for them on 31 October 2023 at the Queen Elizabeth Stadium in Wan Chai. The EAC Chairman briefed the electoral staff who attended the training on the composition and electoral arrangements of DCs under the District Councils (Amendment) Ordinance 2023, the polling and counting arrangements for this election and the points to note, including different polling hours for DCC and DCGC elections, setting up special queues for electors with special needs, using the EPR System for issuing ballot papers, procedures of conversion of polling stations into counting stations, as well as procedures and skills for handling complaints. The REO staff also arranged on-site hands-on practices on using the EPR System to familiarise polling staff with the operation of the system and the procedures for issuing ballot papers. Besides, representatives of DoJ, the Police, ICAC, Fire Services Department and the Hong Kong Society for the Blind also attended the training and hosted briefing sessions to share with the electoral staff their experience in electoral work, crisis management and assisting individuals in need.

Section 3 – Training for Polling and Counting Staff

6.9 To enable the electoral staff of all levels to familiarise themselves with their duties, the REO provided a series of training to the relevant staff from late

October to early December 2023, including three general briefing sessions and two training sessions on compilation of statistical forms conducted online through video conferencing. The training mainly featured operation and contingency arrangements for the EPR System, providing appropriate assistance to electors in need, briefings on compilation of statistical forms, and arrangements for tasks after the close of poll and close of count. The REO also arranged the following training, drills and rehearsals for polling and counting staff:

- (a) From 6 November to 1 December, around 80 half-day sessions of EPR System-cum-counting hands-on practice were held at Millennium City 1 in Kwun Tong, Ping Shan Tin Shui Wai Sports Centre and Po Wing Road Sports Centre. Polling staff allocated to the same polling stations were grouped together as far as possible to attend the same hands-on practice sessions in small groups to drill on the procedures for issuing ballot papers with the EPR System, manual counting and sorting of questionable ballot papers for DCGCs, so as to foster their team spirit and co-operation. In addition, from 13 to 14 November, the REO organised four special sessions at Kowloon Park Sports Centre for the staff allocated to the DCC polling-cum-counting stations, covering computer-aided counting arrangements for the DCCs. On 1 December, a special training session on NBPSs was held at Po Wing Road Sports Centre to brief the staff concerned on the special arrangements applicable to the NBPSs;

- (b) Around 70 half-day practices and drills on scenarios for electoral staff at supervisory level were held at Chuk Yuen Estate Community Centre, covering venue set-up and preparation for polling and counting stations, procedures for converting polling stations into counting stations, workflow for activating the fallback mode in the event of failure of the EPR System, as well as demonstration and practice on determining questionable ballot papers. Each training session also included practices on handling various scenarios to ensure that the electoral staff at supervisory level were familiar with the procedures and operations of various key aspects;

- (c) Meanwhile, in order to enable APROs(Information Technology) (“APROs(IT)”) to master the procedures and practical skills for setting up the EPR System and the Mobile Input System for Electoral Statistics (“MISES”) at polling stations, the REO held eight sessions of hands-on operation and technical training, provided additional training for the APROs(IT) Special Team for two days in a row, and strengthened the training on the handling of the related systems and network set-up;

- (d) 22 training sessions on the MISES were held at Tsz Wan Shan Community Hall and Kowloonbay International Trade & Exhibition Centre (“KITEC”) to brief the PROs, DPROs, APROs(Statistics) and Polling Officers(Statistics) (“POs(Statistics)”) on using the MISES to compile statistical forms for DCGC OPSs and DCC polling stations. Relevant operational manuals, tablet computers and simulation data

were provided in each training session to electoral staff for practice to ensure that they were familiar with the operation of the MISES;

- (e) Nine dedicated training sessions on the MISES were held at KITEC for APROs(Statistics). During the training sessions, relevant operational manuals, tablet computers and simulation data were provided to the APROs(Statistics) for practising the use of the MISES to input, calculate, verify and submit electoral data of a polling station, as well as the procedures of activating the fallback mode, in order to simulate the operation of a polling station throughout the polling day (including the operation upon activating the fallback mode). This is to ensure that the APROs(Statistics) were familiar with the operation of the MISES; and
- (f) Two training sessions for electoral staff of the Statistical Information Centre (“SIC”) were held at KITEC to provide relevant operational manuals and drills on handling various scenarios, which included training on the operation of the SIC throughout the polling day and the handling of different scenarios, so as to ensure that the electoral staff concerned were familiar with the operation of the SIC.

6.10 REO also organised general briefings for all staff of Dedicated Polling Stations (“DPSs”) set up in penal institutions and police stations and Ballot Paper Sorting Stations (“BPSSs”) on the operation of these stations. The general briefing for DPSs was conducted at Millennium City 1 in Kwun Tong on 3 November 2023, while the one for BPSSs was conducted at Kowloon Park Sports Centre on 16 November 2023.

6.11 On the other hand, considerable resources were devoted by the REO to improve, update and revamp the training materials with a view to enabling electoral staff of all levels to have better understanding of their core duties, including the work during the polling and counting sessions, and the procedures to be followed when the contingency plan was required to be activated, as well as familiarising them with the relevant electoral legislation. Three training short clips for polling and counting staff were also produced by the REO, featuring the polling and counting arrangements, the operation of the EPR System, and various scenarios on common problems encountered by polling staff at polling stations on the polling day and the recommended handling procedures respectively. In addition, “warm reminders” were issued by email to all PROs, DPROs and APROs to strengthen their understanding of the polling and counting procedures and remind them of the issues warranting special attention during the election. At the same time, the REO provided the PROs with the “Checklist for the Set-up, the Rehearsal Day and the Polling Day”, and produced a short clip to introduce the content of the checklist to further explain and regulate the scheduled time for each step of the work process with a view to providing the PROs with standardised and effective reference materials.

6.12 The DCC was newly established in this election and the “block vote” system was adopted, i.e. the number of candidates voted by each DCC elector must be the same as the number of seats to be returned for that DCC. On the other hand, the counting of votes for DCC was conducted at the “polling-cum-counting stations”, i.e. all polling stations were required to be converted into counting stations for counting of votes after the close of poll. To this end, the REO had designed a dedicated computer programme to assist in the counting of

DCC votes and also stepped up the training of the counting staff. Apart from the four basic training sessions, the REO also set up a mock counting area, where ten additional in-depth training-cum-counting drills were held for around 650 counting staff. Each training session involved several counting hands-on practices and handling of simulated scenarios. To enhance the authenticity of the practices, the REO had prepared marked mock ballot papers corresponding to the number of electors, candidates and seats to be elected in each district for the counting staff to practice.

6.13 On 9 December 2023 (i.e. the day before the polling day), the REO deployed an REO staff member to each DCC polling station to assist and guide the counting staff in conducting the on-site rehearsal for the mock counting of votes.

6.14 Apart from the aforementioned training and practice sessions, the REO also produced relevant operational manuals and training videos for counting staff at DCC polling stations to allow them to review and familiarise themselves with the details of each step of the workflow.

Section 4 – Venues as Polling Stations

6.15 For the DCGCs, the REO identified and set up more than 600 OPSs in this election for eligible electors to cast their votes. Key consideration factors for identifying venues as polling stations included the accessibility, convenience for electors with mobility difficulties or electors in wheelchairs, and the

availability of sufficient space for the purposes of both polling and counting of votes, etc. Where possible, the REO would select venues which had been used as polling stations in the same election cycle for this election.

6.16 Arising from the Improving Electoral System (Consolidated Amendments) Ordinance 2021, section 31A of the EAC (EP) (DC) Reg has been added to empower the CEO to require by written notice the owner or occupier of premises occupied by any school or organisation/association/body receiving grant from the Government's general revenue to allow a person authorised by the CEO to carry out site visits. If the CEO considers the premises suitable for use as a polling station or a counting station, the CEO may require the owner or occupier in writing to make available the premises for use as a polling station or a counting station in a DC election and allow a person authorised by the CEO to carry out preparatory work and store materials at the premises. Anyone who fails to comply with the above requirements is liable to a fine of \$50,000. Besides, to facilitate the smooth conduct of major public elections and minimise the impact of the elections on schools' operation, in accordance with Education Bureau Circular No. 5/2020, starting from the school year 2020/21, all schools offering formal curriculum, including secondary schools, primary schools, kindergartens and kindergarten-cum-child care centres of the public sector, Direct Subsidy Scheme and private sector, shall designate the day following DC ordinary elections and LegCo general elections as a school holiday.

6.17 Apart from the OPSs, the REO set up one DCGC DPS and one DCC DPS at each of the three police stations for registered electors who were remanded or detained by the Law Enforcement Agencies ("LEAs") other than

the CSD on the polling day to cast their votes. Besides, the REO set up 18 DCGC DPSs in penal institutions for registered electors who were imprisoned or remanded by the CSD on the polling day to cast their votes. On the polling day, as no DCC registered electors was imprisoned or remanded by the CSD, the reserved DCC DPSs in penal institutions were not activated.

6.18 Furthermore, the REO set up one DCC polling station in each of the 18 Districts for DCC electors to cast their DCC votes.

6.19 In view of the fact that many Hong Kong citizens are working and residing in the Mainland, the Government made a special arrangement in this election to set up NBPSs at two schools near Sheung Shui MTR Station, namely Hong Kong Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors' College, so as to facilitate the electors in the Mainland or those who need to travel to and from the Mainland on the polling day to cast their votes (see paragraphs 6.42 to 6.44 below for details).

6.20 According to sections 31 and 32 of the EAC (EP) (DC) Reg, the CEO issued public notices in the Gazette on 14 November 2023 about the designation of locations for all polling stations, counting stations and BPSSs.

Section 5 – Polling Arrangements

Operation of Polling Stations

6.21 For the DCGCs, the REO made reference to the arrangements for the 2021 LegCo General Election and set up over 600 OPSs with around 5 500 ballot paper issuing desks in this election. To prevent prolonged waiting by electors, the REO had used accessible and spacious premises as polling stations as far as possible, and verified the usable area of each polling station with a view to maximising the provision of ballot paper issuing desks and voting compartments as far as practicable to shorten the waiting time for electors.

6.22 Of the above-mentioned over 600 OPSs, eight were designated as “Small Polling Stations” (“SPSs”) pursuant to section 31(1C) of the EAC (EP) (DC) Reg as less than 200 electors were assigned to vote therein. These SPSs were used for polling only and were not used for counting after the close of poll. For the counting arrangements of SPSs, please refer to paragraph 6.46 below.

6.23 Besides, in this election, a total of 577 OPSs were accessible to electors with mobility difficulties or who were wheelchair-bound, representing about 95% of the total number of OPSs. If electors with mobility difficulties or who were wheelchair-bound find their assigned polling stations not easily accessible, they may apply to the REO at least five days before the polling day for re-assigning to a polling station specified by the REO to vote.

6.24 On the day preceding the polling day, polling staff set up the designated venues to fit the functions of polling-cum-counting stations. Voting compartments, ballot boxes and ballot paper issuing desks were provided in all polling stations. Except for the eight SPSs each serving fewer than 200 electors, and the 24 DPSs, all polling stations would be converted into counting stations immediately after the close of poll.

6.25 As regards the setting up of one DCC polling station for each of the 18 Districts in Hong Kong, the number of candidates voted by an elector must be the same as the number of members to be returned for the DCC of the District under section 57A of the EAC (EP) (DC) Reg, otherwise the relevant ballot paper would be regarded as invalid and would not be counted. Therefore, the Ballot Paper Checking System (“BPCS”) was set up in each of the polling station for DCC electors to check for themselves whether the number of candidates they voted for on the marked DCC ballot papers were the same as the number of members to be returned for the constituencies to which the electors belong. The relevant system would neither record nor count the electors’ choices marked on the ballot papers. While the use of the system concerned was entirely voluntary, under the encouragement of the EAC and the on-site polling staff, most of the electors used the system to assist in verifying the number of candidates they voted on the marked ballot papers, and hence there were only five invalid ballot papers of DCCs which contained either more or less votes than the number of members to be returned for the respective constituencies (see **Appendix VI(A)** for details).

6.26 Outside each polling station, areas were designated by the ROs as NCZs and NSZs in order to allow electors to access the polling station without interference. A notice was put up by the ROs at a prominent spot at or near the polling stations to notify members of the public of the scope of the NCZs and NSZs. There were views that the scope of NCZs of polling stations in previous elections was too large that candidates and their teams had to conduct canvassing activities farther to the polling stations on the polling day. In view of this, the ROs had reviewed and reduced the scope of the NCZs of the polling stations in this election as appropriate to ensure that electors could gain access to the polling stations without interference, and at the same time facilitate candidates' canvassing activities. Please refer to Chapter 13 for details. Notices were put up by ROs at prominent spots at or near the polling stations to notify members of the public of the scope of the NCZs and NSZs.

Adoption of Electronic Poll Register System (“EPR System”) for the Issuance of Ballot Papers

6.27 The REO has adopted the EPR System since the 2021 Election Committee Subsector Ordinary Elections. After an elector presented his/her identity document, polling staff would check the identity of the elector through the EPR System and then make relevant records after issuing a ballot paper, without having to draw a line across the relevant entry in the printed-form FR. Therefore, the elector could collect the ballot paper at any ballot paper issuing desk in the respective polling station. This helped to even out the utilisation of the ballot paper issuing desks, thereby making the process of ballot paper issuance smoother and more flexible. To enhance the efficiency and accuracy

of issuing ballot papers, the EPR System continued to be used on a large scale in this election. Among the 604 DCGC OPSs, 18 DCC polling stations and four NBPSs, a total of 595 polling stations adopted the EPR System for issuing ballot papers⁴. However, printed-form FRs were used instead of the EPR System for issuing ballot papers at 31 OPSs located in remote areas with difficulties in installation and technical support, or where network coverage was unstable.

6.28 After the EAC announced the activation of the fallback mode at 8:12 pm on the polling day due to the failure of the EPR System, the electoral staff at the ballot paper issuing desks first checked the computer records in the “local storage device”⁵ to ensure the electors concerned had not collected ballot papers when the EPR System was in normal operation. The electoral staff would then draw a line across the relevant entries in the printed-form FR, and issue the ballot papers to the electors.

6.29 The majority of the polling stations could activate the fallback mode of the EPR System for issuing ballot papers. However, six polling stations were unable to use the “local storage device” due to issues with local area network (“LAN”) connection⁶. To enable continued issuance of ballot papers at these polling stations with a view to safeguarding electors’ right to vote, the Central

⁴ For polling stations adopting the EPR System in this election, each issuing desk was adjusted to be manned by one PO for operating the system and issuing ballot papers to electors, while the ratio of one APRO supervising five ballot paper issuing desks was adopted to closely monitor the ballot paper issuing process, thereby streamlining the procedures and reducing relevant manpower (Details at Chapter 13).

⁵ The local storage device in polling stations contained the Hong Kong Identity Card (“HKID”) number of the electors who collected ballot papers when the EPR System was in normal operation. For strengthening data security, the HKID numbers of the electors concerned were stored in encrypted hash value mode.

⁶ It refers to the LAN connecting the tablet computers for scanning the electors’ HKID and the “local storage device”.

Command Centre (“CCC”), with the consent of the EAC, directed that the aforesaid polling stations should issue ballot papers to electors without prior checking with the computer records of the “local storage device” at the polling stations. However, the REO would issue to each of the polling stations concerned a printed copy of the entries of the electors who had already collected their ballot papers when the EPR System was in normal operation. Such printed copy was provided to the respective polling stations concerned for cross-checking with the crossed entries in the printed-form FR of that polling station after the close of poll to determine whether there was any suspected case of repeated voting. The REO had eventually identified nine suspected cases, which had already been referred to relevant LEAs for investigation. The REO had already reviewed relevant election results, which were certified to be unaffected. The REO would also holistically review the setting of LAN connection of the “local storage device” with a view to enhancing the stability of the fallback mode and formulating a more comprehensive contingency plan.

Special Queue Arrangement

6.30 As stipulated in section 52A of the EAC (EP) (DC) Reg, the PRO may make special queuing arrangements for electors with special needs (including persons aged 70 or above, pregnant women or 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 would set up two queues at the polling station, one for electors with special needs and the other for other electors. Seats were also provided in polling stations for electors in need of taking while waiting for joining the special queue for collection of ballot papers.

Polling Hours

6.31 With the implementation of the EPR System and other improvement measures in this election, the EAC considered it necessary to allow more time for the polling staff to conduct a final check of the equipment and other set-ups including data network connection. Therefore, the polling hours were adjusted to begin at 8:30 am for DCGC OPSs and DPSs set up at police stations in this election⁷. Due to the failure of the EPR System, the close of poll was extended from 10:30 pm as originally scheduled to 12 midnight (see Chapter 13 for details). The close of poll for the DPSs set up at police stations were also extended to 12 midnight, and the poll at the DCGC DPSs set up in penal institutions began at 9 am and ended at 4 pm (see paragraph 6.38 below for details). As for the DCC polling stations and DCC DPSs set up at police stations, the poll began at 8:30 am and ended at 2:30 pm. If the reserved DPSs set up in penal institutions for the DCC were activated, the poll thereat began at 9 am and ended at 11 am. The polling hours of this election were published in the Gazette on 14 November 2023 by the CEO.

Submission of Electoral Data through the Mobile Input System for Electoral Statistics (“MISES”)

6.32 The REO adopted the MISES in this election for polling and counting staff to input, calculate, verify and submit various electoral data of polling and counting stations (including the opening and closing time of polling stations,

⁷ In the past DC elections, the polling hours of OPSs began at 7:30 am and ended at 10:30 pm.

number of complaints, queuing status at polling stations and counting results after the close of poll) to the SIC of the REO through tablet computers on the polling day, so as to enhance data accuracy and the overall efficiency. As for other polling stations not using the MISES, the staff concerned would continue submitting electoral data to the SIC by fax and phone.

6.33 Prior to the opening of the polling stations on the polling day (i.e. before 8:30 am), all staff at polling stations using the MISES were able to log on to the system smoothly. They reported the opening time of the polling stations, number of complaints, queuing status, etc. to the SIC through the MISES at the opening of polling stations and during the polling hours. The MISES operated smoothly during the period.

6.34 Following the failure of the EPR System at about 7:40 pm on the polling day, the fallback mode for the EPR System was activated at 8:12 pm and the printed-form FR was used for issuing ballot papers to electors. When issuing a ballot paper, polling staff drew a line across the entry of the elector on the printed-form FR to record that a ballot paper had already been issued to the elector. Under normal operation of the EPR System, the hourly voter turnouts of polling stations were automatically collected by the system and transmitted to the Electronic Voter Turnout Compilation System (“eVTCS”) of the SIC for compiling the cumulative hourly voter turnouts of all polling stations. Following the failure of the EPR System, the command desk of the SIC followed the established procedures and instructed the DCGC polling-cum-counting stations to report the cumulative voter turnouts and counting results of the polling stations to the SIC by completing and faxing the paper-based statistical forms.

The staff of the SIC then manually input the data into the eVTCS and verified the data submitted by the polling stations. The relevant arrangements ran smoothly in general on that day. Regarding the DCC polling-cum-counting stations, as their polling hours ended at 2:30 pm, the reporting of various electoral data by the DCC polling-cum-counting stations was not affected by the failure of the EPR System. The statistics and counting results of these polling-cum-counting stations after the close of poll were therefore successfully reported to the SIC through the MISES.

Display of Expected Queuing Time of Polling Stations

6.35 On the polling day, the REO arranged for displaying the expected queuing time for each polling station on its dedicated election website to inform electors of the queuing status of each polling station, so that they could plan for their journeys ahead and arrange their time to go to the polling stations. The REO requested each polling station to input the expected queuing time (i.e. less than 30 minutes, about 30 to 60 minutes, about 60 to 90 minutes or more than 90 minutes) via the MISES every 30 minutes so that the queuing time could be uploaded onto the dedicated election website for electors' reference. Polling staff also put up relevant notice boards at their respective polling stations to notify electors of the expected queuing time.

Design of Ballot Paper and Ballot Box

6.36 The ballot papers for the DCGCs and DCCs were designed in accordance with the format prescribed in Schedule 2 to the EAC (EP) (DC) Reg,

making reference to the design and layout of ballot papers adopted in previous elections. As in previous elections, candidates for DCGCs were allowed to have certain specified particulars relating to them (i.e. the registered Chinese and/or English name(s) or the abbreviation(s) of the prescribed body/bodies of the candidates, the registered emblem(s) of the prescribed body/bodies or person, personal photographs of the candidates and the wording of the remarks stating “Independent Candidate”/“Non-affiliated Candidate”) printed on the ballot papers of this election. Regarding the design of the DCC ballot papers, apart from meeting the relevant provisions of the above-mentioned regulation, its size must be able to accommodate a certain number of candidates. Therefore, only the names of candidates and their candidate numbers were printed on the DCC ballot papers. To facilitate easy identification, different colors and codes were used on the front and at the back of the ballot papers for the DCGCs and DCCs.

6.37 In this election, there were blue ballot boxes at the DCGC OPSs and white ballot boxes at the DCC polling stations for the electors concerned to cast their votes for the DCGCs and DCCs respectively.

Special Polling Arrangements for Imprisoned, Remanded and Detained Electors

6.38 The REO set up 18 DCGC DPSs in CSD’s penal institutions for registered DCGC electors who were imprisoned or remanded under the custody of the CSD to cast their votes on the polling day. To tie in with the operational need of penal institutions, the polling hours at these DPSs were from 9 am to 4 pm. Besides, the REO also set up one DCGC DPS and one DCC DPS at each

of the three police stations for registered electors who were remanded or detained by the LEAs (other than the CSD) on the polling day and had expressed their intention to vote. Since the LEAs might arrest persons who happened to be registered electors at any time on the polling day, these DCGC DPSs set up at police stations were open from 8:30 am to 12 midnight. As for the DCC DPSs set up at police stations, the polling hours were from 8:30 am to 2:30 pm.

6.39 The venue set-up of all DPSs was basically the same as that of OPSs, except that some of the polling materials were specially designed for security reasons.

6.40 The REO issued poll cards and other related electoral documents such as the Introduction to all imprisoned registered electors by the addresses of the penal institutions. Upon the requests from candidates, mailing labels were provided to candidates for mailing EAs to the electors who had given consent to use the addresses of the penal institutions as their correspondence addresses for receiving EAs.

Ballot Paper Sorting Stations (“BPSSs”)

6.41 In this election, the REO set up one main BPSS at Kowloon Park Sports Centre for sorting of ballot papers cast at DCGC DPSs in CSD penal institutions according to each constituency before delivering to the corresponding main counting stations (“MCSs”). Another three BPSSs were set up at Wan Chai Activities Centre, Sham Shui Po Government Primary School and Toi Shan Association College for sorting of ballot papers cast at DCGC/DCC

DPSs in police stations by constituency before delivering to the corresponding MCSs. After the close of poll, to preserve the secrecy of votes, polling staff of the MCSs would mix the ballot papers cast at DPSs with those cast at the corresponding MCSs. The whole process was open for observation by the candidates and their agents, the media and the public.

Section 6 – Arrangements for Near Boundary Polling Stations (“NBPSs”)

6.42 The Government had received many views and voices from the community that many Hong Kong residents were currently working and living in the Mainland, and that they very much hoped to support this DC election and fulfil their civic responsibility to vote. Therefore, they wished that the Government could facilitate the setting up of polling stations at the boundary control points so that they could return to the Mainland to attend to their business quickly after voting in Hong Kong. However, as the epidemic had ended and the control points had resumed normal operations, all control points were very busy in operation, leaving inadequate space for setting up polling stations. Therefore, the Government had made a special arrangement for this DC election by setting up NBPSs at two schools near Sheung Shui MTR station, namely Hong Kong Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors’ College, to facilitate the DCGC electors who were either in the Mainland or needed to commute to and from the Mainland on the polling day to cast their votes.

6.43 The above arrangement was applicable to all registered DCGC electors for this election. To ensure the orderly implementation of the arrangement, all electors participating in the arrangement must pre-register through the REO online registration system. Electors should also choose to vote at a specified timeslot (broken down by hour) on the polling day, so as to facilitate the REO in making corresponding arrangements and crowd management. After submitting the registration application, the REO would send an instant notification of the registration result to the electors concerned via SMS and email (if applicable). Electors could cast their votes at the relevant polling stations only upon receipt of the notification of registration result confirming their successful registration. In case registrants had changed their itineraries, they could cancel their registration through the online registration system during the registration period and return to their originally assigned polling stations for casting their votes. However, if the registration period had expired, the electors concerned might contact the REO directly to make appropriate arrangements.

6.44 The above registration arrangement began at 9 am on 20 November 2023 and ended at 6 pm on 5 December 2023, with a total of 12 976 applications received during the registration period. According to the above registration figure, 9 out of the 44 DCGCs in the NBPSs were categorised as SPSs as the number of registrants was less than 200, which were gazetted on 8 December 2023.

Section 7 – Counting Arrangements

6.45 According to the established practice of DC ordinary elections, a polling-cum-counting arrangement was adopted in the polling stations for DCCs and DCGCs in this election. This arrangement could save time for delivering the ballot papers to counting stations, which was more cost-effective than central or regional counting, and could work out overall election results within a shorter time.

6.46 With the exception of the SPSs, special polling stations and DPSs, all polling stations were converted to counting stations immediately after the close of poll. For a DCGC with two or more counting stations, the counting station serving the largest number of registered electors would be designated by the CEO as the dominant counting station. The PRO of the dominant counting station would inform the candidates or their agents, if present, the counting results of that DCGC. If one of the polling stations in an individual DCGC was an SPS, special polling station or DPS, another polling station in that DCGC would be designated by the CEO as the MCS. For the secrecy of votes, ballot papers cast at SPSs, special polling stations or DPSs were delivered to the designated MCSs for mixing with the ballot papers at the MCSs before counting.

6.47 To accommodate the polling-cum-counting arrangement, the following polling stations would conduct sorting of ballot papers after the close of poll:

- (a) For each DCGC DPS set up in penal institutions and police stations, there was one ballot box for electors of different DCGCs to cast their

votes. After the close of poll, the ballot papers received must therefore be delivered to a BPSS first for sorting by DCGC. The ballot papers would then be delivered to the MCSs of the corresponding DCGCs for mixing with the ballot papers at the MCSs before counting; and

- (b) For each DCC DPS set up in police stations, there was also one ballot box for electors of different DCCs to cast their votes. After the close of poll, the ballot papers received must therefore be delivered to a BPSS first for sorting by constituency. The ballot papers would then be delivered to the designated MCSs and mixed with the ballot papers of the same DCC for counting.

6.48 If the same place was designated as both a polling station and a counting station, the PRO of the polling station was to be regarded as the PRO of the counting station. After the commencement of the count, the PRO was responsible for opening the ballot boxes and conducting the count. He/She was also responsible for determining the validity of questionable ballot papers.

6.49 One ARO(Legal) was stationed at each DO to provide legal advice on matters relating to vote counting (including handling of questionable ballot papers) to the PROs in the District. Candidates could appoint counting agents to observe the count and make representations regarding the PRO's decisions on the validity of questionable ballot papers. Samples of valid and invalid ballot papers were posted at each counting station to enhance transparency and ensure fairness and consistency of PRO's decision.

6.50 To ensure openness and transparency of the counting process, candidates, election agents, polling agents and/or counting agents were allowed to stay in the polling stations after the close of poll to observe the conversion of polling stations to counting stations. The public and the media could also observe the counting process after a polling station was converted to a counting station.

Section 8 – Crisis Management Committee (“CMC”)

6.51 As in past elections, the REO set up a Crisis Management Committee (“CMC”) for this election and drew up a detailed contingency plan to deal with any incidents where the election might be obstructed, disrupted, undermined or seriously affected. The CMC must provide professional advice to the EAC in the event of any serious incidents including inclement weather, riot, open violence or incidents endangering public health or safety, which make it necessary to consider the postponement of the election, the poll or the count, as well as any occurrences of material irregularity relating to the election, the poll or the count in the EAC’s view. Chaired by the EAC Chairman, the CMC comprised EAC Members, the representatives of CMAB, REO, HYAB, Security Bureau, HAD, DoJ, ISD, the Police, Office of the Government Chief Information Officer (“OGCIO”) and Electrical and Mechanical Services Department (“EMSD”). Representatives of other relevant government bureaux/departments could also be invited to the meetings of the CMC when necessary.

6.52 A meeting of the CMC was held on 5 December 2023 at which the CMC was briefed by relevant government bureaux and departments on their evaluation of different situations, election-related preparations and co-ordination efforts, and the deployment for the polling day (including enhanced logistic support, security, and corresponding arrangements and measures for the election) to ensure that the election would be conducted smoothly. The CMC also held a meeting before the start of the poll on the polling day on 10 December, and was closely monitoring the conduct of the election from the start of the poll. After the failure of the EPR System, the CMC convened a meeting to discuss contingency measures and provided professional advice to the EAC. Later in the evening of the polling day, the EAC issued a press release announcing that all polling stations for DCGCs would switch to use the printed-form FR for issuing ballot papers starting from 8:12 pm, and that the polling hours of all the DCGC polling stations were extended to 12 midnight.

Section 9 – Fast Response Teams (“FRTs”)

6.53 In line with the practice since the 2008 LegCo General Election, Fast Response Teams (“FRTs”) comprising experienced personnel were appointed to handle emergencies in relation to polling stations. FRTs also needed to conduct random checks on the operation of polling stations and performance of polling staff to ensure strict compliance with the electoral legislation and procedures.

6.54 The REO set up a total of 12 FRTs for this election. Apart from conducting inspection of operation of polling stations and advising PROs to take

remedial or improvement measures where necessary, the FRTs were also tasked to render immediate advice and assistance to ROs and PROs in relation to electoral arrangements. The FRTs had to report to the CCC on any major irregularities and problems observed, and carry out the CCC's instructions in response. Following the failure of the EPR System, the FRTs immediately arrived at the polling stations to provide assistance, and reported the latest situation to the CCC.

Section 10 – Contingency Measures

6.55 The DCO and the EAC (EP) (DC) Reg stipulate the provisions on the postponement or adjournment of the election, the poll or the count in respect of the DC ordinary election as a whole, or any individual DCC/DCGC, or any individual polling/counting station. In addition, the REO formulated the following arrangements to cater for other emergencies:

- (a) postponement or adjournment of the poll or the count in one or more polling/counting stations;
- (b) extension of polling hours if a substantial portion of the polling hours was lost because of flooding, power failure or other emergencies in one or more polling stations;

- (c) designation of alternative polling stations as reserve polling stations in the event that the original stations, for one reason or another, could no longer function properly or could not be accessed by electors;
- (d) establishment of an emergency depot in each of the 18 Districts to provide logistic support to relevant polling stations in each District, and setting up of a fallback CCC and SIC in Cheung Sha Wan Peak Castle to collect and compile statistical forms collected from polling/counting stations; and
- (e) preparation for public announcement notices in the event that any of the contingency arrangements set out in paragraphs 6.55(a), (b) or (c) above had to be implemented.

Section 11 – Release of Counting Results

6.56 In this election, the final counting results of each DCC and DCGC election were uploaded onto the dedicated election website for public reference on a real-time basis.

CHAPTER 7

PUBLICITY

Section 1 – Introduction

7.1 Publicity is of cardinal importance for elections. In this election, the EAC and other relevant government departments actively organised various publicity activities on the election with a view to enhancing electors' knowledge of electoral arrangements and procedures, strengthening public awareness of the electoral system and GCs, as well as promoting public interest and understanding in election, such that the community could appreciate the importance of election to Hong Kong and to themselves, thereby encouraging members of the public to register as electors, stand as candidates or cast their votes on the polling day, and publicising the importance of a clean and fair election.

7.2 Apart from the VR campaign mentioned in Chapter 3, the relevant publicity activities of this election were launched in mid-September 2023, which are detailed in the following paragraphs.

Section 2 – The Electoral Affairs Commission (“EAC”) and the Media

7.3 On 13 November 2023, the EAC conducted a briefing at the Queen Elizabeth Stadium for the candidates to brief them on the electoral arrangements

for this election, the guidelines on election-related activities and the key points to note in conducting electioneering activities. At the briefing, representatives of the ICAC and the Hongkong Post explained the ECICO and the arrangements and relevant requirements of the free postage service for election mail respectively. The media were invited to cover the briefing while members of the public could also review the briefing through RTHK and dedicated online channels.

7.4 To familiarise electors with the set-up of polling stations and voting procedures, four mock polling stations, set up at North Point Community Hall, Kwun Tong Community Centre, Tai Po Community Centre and Tuen Mun Tseng Choi Street Community Hall respectively, were open for four consecutive days before the polling day (i.e. 4 pm to 8 pm on 5 December 2023, and 12 noon to 8 pm from 6 to 8 December 2023). Moreover, the EAC Chairman, after visiting the mock polling station at North Point Community Hall on the first day of the operation of the mock polling stations, met with the media to call on electors to exercise their civil rights to vote on the polling day, introduce the arrangement for this election and demonstrate the voting procedures. The mock polling stations were well received by members of the public.

7.5 On the day preceding the polling day, the EAC Chairman and the SCMA accompanied the CE to visit the DCGC OPS at Lingnan Secondary School in Eastern District, and to inspect the set-up of the polling station and the on-site drill by the polling staff. The Chief Secretary for Administration and two Members of the EAC also visited different polling stations respectively to inspect the preparation for the election so as to ensure that the poll and count

would be carried out smoothly. Subsequently, the EAC Chairman and the SCMA, joined by two Members of the EAC, visited the four NBPSs at Hong Kong Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors' College in Sheung Shui to inspect the preparation by the polling staff.

7.6 The REO issued press releases from time to time to keep the public informed of important events at different stages of the election and to clarify election-related misinformation, such as the rumour that electors were required to stamp two ticks on their ballot papers when casting votes for the DCGC elections.

Section 3 – Publicity Activities by the Registration and Electoral Office (“REO”)

7.7 The REO produced a series of television and radio APIs to introduce relevant polling arrangements, voting procedures and points to note for the DCC and DCGC elections, including reminding electors that poll cards had been mailed, proper voting procedures should be followed to ensure voting secrecy, persons aged 70, pregnant women, and persons who were not able to queue for a long time or had difficulty in queuing because of illness, injury, disability or dependence on mobility aids could use a special queue to collect their ballot papers, electors with mobility difficulty or using wheelchairs could apply before the deadline for re-allocation to other polling stations if the allocated polling station was not accessible to them, and that the REO would, where circumstances

permit, arrange free Rehabus service upon request to transport them to and from the polling stations. Along with relevant polling information, these publicity materials were uploaded onto the dedicated election website for public viewing.

7.8 To provide electors who could not read Chinese or English with the information about this election and the voting procedures, the REO prepared the translation of the election briefs and voting procedures in ten languages (Japanese, Korean, Bahasa Indonesia, Hindi, Nepali, Punjabi, Tagalog, Thai, Vietnamese and Urdu) other than Chinese and English and uploaded them onto the dedicated election website and the website of the Race Relations Unit of the HAD. Moreover, these materials were also displayed at support centres for ethnic minorities to bring this election to the attention of people of different races. In collaboration with the Centre for Harmony and Enhancement of Ethnic Minority Residents run by the Hong Kong Christian Service, the REO provided a telephone simultaneous interpretation service with eight languages (Bahasa Indonesia, Hindi, Nepali, Punjabi, Tagalog, Thai, Vietnamese and Urdu) to the electors concerned from 27 November to 1 December 2023 and from 4 December to 10 December 2023 (i.e. polling day) to assist them in making enquiries to the REO on election-related matters. In addition, the Government advertised in the newspapers and newsletters that targeted readers of different races to encourage them to stand as candidates and vote, and broadcast on radio the voting procedures and the appeals for voting in languages of different races.

Section 4 – Publicity Activities by the Constitutional and Mainland Affairs Bureau (“CMAB”) and Other Government Departments

7.9 With the theme of “Cast your vote at DC election for a better community”, the large-scale publicity campaign for this election was co-ordinated by the CMAB. Other participating departments included the HAD, ISD, ICAC, RTHK, REO, etc. In light of the implementation of the District Councils (Amendment) Ordinance 2023, and the promotion of key messages at different stages of the election, such as the changes to the composition and methods of formation of the DC brought about by the implementation of the ordinance, the nomination period, the canvassing period, and the polling day, etc., the intensity and impact of the publicity were stepped up on a continued basis with a view to cultivating a lively election atmosphere.

7.10 Starting from mid-September, the Government rolled out a series of publicity items and activities on the nomination period and clean elections, which was followed by an array of publicity activities subsequently to tie in with the nomination period and canvassing period. In phase three during the week preceding the polling day, publicity efforts were further intensified to call on electors to cast their votes. In this election, the Government launched widespread publicity with the adoption of novel and down-to-earth methods to foster the promotional effect. For example, the Government made good use of various premises of “Night Vibes Hong Kong” to host “Night Vibes DC Election” promotion booths, held over a hundred “DC Election into the Community” events across different districts in Hong Kong, proactively went

into the community, set up exhibitions, game booths, “check-in” spots and parent-child interactive workshops, etc. On the day before the polling day, the “DC Election Fun Day” was organised, where a variety of events were held across different districts in Hong Kong, to promote this election through engaging the public in a zero-distance manner so as to raise public awareness of the election.

7.11 The Government also installed large advertisement signboards, banners, buntings and posters at various spots and facilities across different districts in Hong Kong, and displayed advertisements on major public transports to draw the community’s attention to this election. Multiple television and radio APIs were produced to promote the nomination period and remind the public that 10 December was the polling day. Meanwhile, the Government launched a series of special radio programmes and television programmes, for example, “Election in Every District”, “Get a Comprehensive View of the DC Election” and “Fun Facts about DC Election”, and leveraged the Internet and social media platforms popular among the younger generation to disseminate information of this election so as to introduce election-related facts in an easily understandable manner. All Directors of Bureaux, Secretaries of Departments and civil service organisations also appealed to electors to vote through different means at various occasions and platforms. Commercial sector and various civil service associations and organisations also initiated promotional activities in various forms in support of the Government’s publicity to tie in with the cultivation of election atmosphere.

7.12 To promote the NBPSs, the CMAB and the REO produced video clips and television APIs, which were broadcast during the registration period from 20 November to 5 December 2023. The APIs mainly introduced the registration arrangements and process, and called on electors in need to register as soon as possible. After the end of the registration period, television APIs were also broadcast to remind registered electors to bring along the original copy of their Hong Kong Identity Cards (“HKIDs”) and to vote at the allocated NBPSs at the specified timeslot. Relevant publicity materials were also uploaded onto the dedicated election website for public viewing.

7.13 The ISD also helped set up the dedicated election website where latest election publicity materials, information and infographics were uploaded to facilitate public consumption. Meanwhile, important information in languages of different races was also disseminated to facilitate electors’ viewing of and access to the election-related materials. The REO also issued press releases from time to time to keep the public abreast of various important events at different stages of this election.

7.14 The RTHK also organised election forums for both DCGC and DCC so that each candidate could have a fair chance to present their agendas and views on their constituencies to the public. Members of the public could also view/listen to the aforementioned materials on the RTHK’s website.

7.15 On the polling day, the Government rolled out special arrangements, including issuing thank you cards to electors after casting of votes, setting up “check-in” spots next to the polling stations for electors to take photos, so as to further promote messages related to this election.

7.16 To promote clean elections, the ICAC launched a series of educational and publicity activities on the theme of “Abide by the Rules, Support Clean Elections” for this election, which included:

- (a) attending over 100 meetings of the “three committees” in 18 Districts to explain the requirements of the ECICO to around 2 000 members of the “three committees” and remind them to avoid committing offences under the Prevention of Bribery Ordinance or other related offences;
- (b) organising briefing sessions for candidates, their election agents, electioneering helpers and political parties, as well as members of building management bodies, voluntary organisations, members of district organisations and elderly centres to introduce the major provisions of the ECICO;
- (c) organising seminars for over 30 000 electoral staff to remind them of the requirements of the ECICO and the importance of the integrity of civil servants;
- (d) incorporating clean election messages into the anti-corruption talks for students for tertiary institutions, setting up exhibitions on their

campuses, displaying posters and uploading educational video onto the intranets as arranged by the Student Affairs Offices;

- (e) producing tailor-made reference materials for candidates, electioneering helpers and electors, including “Reminder for Voter Registration”, “Clean Election Information Booklet”, “Reminder to Electors”, “Dos and Don’ts Checklist for Candidates”, “Reminder to Candidates on Election Return” and promotional leaflets specifically targeted at members of the “three committees”;
- (f) organising the flash roadshows at over 100 venues across 18 Districts in Hong Kong to enhance the awareness of members of the public of the relevant laws and the importance of clean elections through interactive games and distribution of publicity materials;
- (g) launching online and offline publicity campaigns to disseminate clean election messages and encourage electors to cast votes in the election, including television and radio broadcasts, public transport networks, popular mobile applications, online platforms, newspaper advertisements, television networks of restaurants, commercial and residential buildings, community facilities, outdoor billboards, government websites, postal slogan of the Hongkong Post and utility bills of the Water Supplies Department/Hong Kong Electric/Towngas;
- (h) through the district networks of ICAC Regional Offices, providing educational filmlets, featured articles, publicity posters, e-banners and other promotional materials to government departments, public bodies,

district organisations, voluntary organisations, elderly centres, building management bodies etc., to widely publicise clean election messages across the territory;

- (i) promoting the relevant provisions of the ECICO to members of the public, including the elderly, new arrivals and electors who were imprisoned, through television and radio programmes, and highlighting two offenses in relation to manipulating or undermining elections so as to remind members of the public not to engage in illegal appeals or repost related unlawful contents;
- (j) translating key provisions of the ECICO into ten languages and uploading them onto the dedicated election website with the assistance from the REO; and
- (k) setting up a dedicated website on clean DC elections to promote clean election messages, and answering enquiries in relation to the ECICO through the “Clean Election Enquiry Hotline”.

CHAPTER 8

COMMAND CENTRE AND SUPPORT

Section 1 – The Central Command Centre (“CCC”)

8.1 The REO sets up the CCC at the office in KITEC on the polling day to command and oversee various electoral arrangements. The relevant sections of the REO and the government bureaux/departments concerned operated in the CCC to facilitate communication and co-ordination. Drawing on the experience gained from past elections, the CCC had strengthened the communication mechanism with the polling stations which facilitated the early detection of any unusual delays or irregularities in the polling and counting with a view to proactively comprehending the situation and rendering appropriate assistance.

8.2 The CCC comprised a Command Desk, 15 Helpdesks and 7 Enquiry Hotlines:

- (a) the Command Desk was tasked with overseeing the overall conduct of the poll, and giving directions to polling stations that encountered unforeseen incidents or problems;
- (b) the Helpdesks handled enquiries about electoral matters made by polling stations. The REO had increased the number of Helpdesks

from 9 in the 2019 DC Ordinary Election to 15 in this election, so as to provide better and more timely support to the polling stations and help them resolve problems encountered on the polling day; and

- (c) the Enquiry Hotlines dealt with enquiries about the poll from the public and LEAs and provided assistance to visually-impaired electors in apprehending the content of the Introduction. A dedicated interactive voice system was also installed for this election to handle enquiries from polling staff about the name and the code of the polling station allocated to an elector.

8.3 The CCC was also equipped with an Incident Logging System for parties concerned to share information and follow up incidents.

8.4 At the district level, District Liaison Officers of each DO were responsible for liaison work among individual polling stations, the respective ROs and the CCC.

8.5 On the polling day, following the failure of the EPR System, the CCC (including the EPR System Helpdesk, the Training Helpdesk and the staff of the SIC) promptly dealt with various enquiries from the polling staff on the activation of the fallback mode and assisted them in handling the problems encountered. The SIC also notified the DCGC polling stations of the relevant information and instructions, including switching to the use of the printed-form FR for issuing ballot papers, the extension of polling hours to 12 midnight on the

polling day, etc. via fax as soon as possible, with a view to ensuring the smooth conduct of the polling and counting.

Statistical Information Centre (“SIC”)

8.6 An SIC was set up inside the CCC for the collection and consolidation of various electoral statistics provided by all polling stations, the dissemination of important messages to all polling stations, and the announcement of voter turnout and voter turnout rates to the public. The SIC was also responsible for checking and disseminating the counting results collected from each counting station.

8.7 On the polling day up to the time before the EPR System failed (i.e. around 7:40 pm), the collection, compilation and dissemination of the statistics of the hourly voter turnout and voter turnout rate had been generally smooth. Following the failure of the EPR System, as the hourly voter turnout statistics between 7:30 pm and 8:30 pm and beyond could not be automatically transferred by the system to the eVTCS at the SIC, the DCGC hourly voter turnout and voter turnout rates were no longer published on the dedicated election website from 7:30 pm onwards⁸. After the poll, the SIC collated the cumulative voter turnout contained in the statistical forms submitted by the DCGC polling stations via fax, and published the DCGC cumulative voter turnout and voter turnout rates on the dedicated election website in the morning of 11 December. However, during the routine post-election review of all relevant data, the REO found that the voter

⁸ The poll of the DCC had ended at 2:30 pm and the hourly voter turnout and voter turnout rates were published on the dedicated election website on the polling day.

turnout of the DPSs had been omitted from the figures published earlier. The REO uploaded the revised DCGC cumulative voter turnout and voter turnout rates onto the dedicated election website on 29 January 2024 for public reference. The EAC has emphasised that the incident has absolutely no impact on the election results.

Section 2 – The Complaints Centre (“CC”)

8.8 A Complaints Centre (“CC”) was set up at the REO’s office at the Treasury Building to handle complaints from the public.

8.9 Complainants could lodge complaints by telephone, fax or email. The CC was manned by staff of the EAC Secretariat and operated throughout the polling hours. Details of the work of the CC and the complaints received on the polling day and during the complaints-handling period are set out in Chapter 12.

CHAPTER 9

THE POLL

Section 1 – Polling Stations and Polling Hours

9.1 On the polling day, the REO set up a total of 604 DCGC OPSs and one DCC polling station for each of the 18 Districts in Hong Kong. As for DCGC electors imprisoned/remanded/detained under the custody of the CSD and other LEAs, the REO also set up a total of 21 DCGC DPSs at penal institutions and three DPSs at police stations for them to cast their votes⁹. In addition, the REO specially set up four NBPSs to facilitate DCGC electors who were in the Mainland or who had to travel to and from the Mainland on the polling day to cast their votes¹⁰.

9.2 The polling hours of the DCC election ran from 8:30 am to 2:30 pm while those of the DCGC election were originally scheduled from 8:30 am to 10:30 pm. Since the LEAs might arrest persons who happened to be registered electors at any time on the polling day, the polling hours of the DPSs set up at police stations were the same as those for the OPSs or DCC polling stations. The polling hours of the DCGC DPSs at the penal institutions were from 9 am to 4 pm.

⁹ As no DCC elector was imprisoned or remanded by the CSD on the polling day, the reserve DCC DPSs at the penal institutions were not activated.

¹⁰ During the registration period from 9 am on 20 November 2023 to 6 pm on 5 December 2023, a total of 12 976 DCGC electors registered to cast their votes at the NBPSs.

Section 2 – Extension of Polling Hours for all District Council Geographical Constituency (“DCGC”) Ordinary Polling Stations (“OPSs”) and Dedicated Polling Stations (“DPSs”) at Police Stations due to Failure of the Electronic Poll Register System (“EPR System”)

9.3 Due to the failure of the EPR System, all DCGC OPSs in this election switched to using the printed-form FRs for issuing ballot papers from 8:12 pm on the polling day. After taking relevant circumstances into consideration, the EAC decided to extend the polling hours accordingly pursuant to section 1 of Schedule 1 to the EAC (EP) (DC) Reg. The polling hours of all DCGC OPSs and DCGC DPSs set up at the police stations were extended accordingly to 12 midnight for the affected electors to cast their votes (see Chapter 13 for details).

Section 3 – Voter Turnout

9.4 On the voter turnout, the DCGC cumulative voter turnout announced by the REO after the close of poll was 1 193 193 with the cumulative turnout rate at 27.54%. For the DCC, a total of 2 454 electors had cast their votes, representing 96.92% of the registered electors of the DCC.

9.5 Following the failure of the EPR System and the activation of the fallback mode (i.e. switching to using the printed-form FRs for issuing ballot papers), as the number of ballot papers issued during that period could not be

counted by the EPR System, each polling station needed to manually compute various electoral statistics (including voter turnout, voter turnout rates, etc.) and submit the statistical forms by facsimile to the SIC of the REO for compilation. After the conclusion of the election, the REO conducted a routine review of relevant data and found that the voter turnout of the DPSs had been omitted from the DCGC cumulative voter turnout (1 193 193) and cumulative voter turnout rate (27.54%) of DCGC published earlier. After amendment, the total number of DCGC electors who had cast their votes was 1 195 331, representing 27.59% of the registered DCGC electors.

9.6 As regards the cause of the incident, the EAC was informed that after the failure of the EPR System, each polling station needed to conduct its calculation of voter turnout and voter turnout rates manually and reported such data to the SIC for centralised computation thereafter. Given the large number of polling stations involved, and the very tight timeframe for computing the results for publication as soon as practicable, the responsible staff had omitted the voter turnout recorded at the DPSs, leading to an error in the compilation of statistics for public reference. Nevertheless, upon thorough checking, the EAC agreed that the election results were not affected in any way by this incident.

9.7 The voter turnout statistics and the voter turnout rates by District for this election are set out at **Appendices V(A) and (B)** respectively.

Section 4 – Exit Poll

9.8 The REO received an application from the Hong Kong Research Association for conducting an exit poll on the polling day. Having considered the application of the above organisation in accordance with the principles set out in Chapter 14 of the Guidelines, the REO approved the organisation concerned to conduct an exit poll outside the designated polling stations. The organisation concerned was required to sign a statutory declaration confirming that it would not announce or disclose the information/results of the exit poll or publish any specific comments or predictions on the performance of any candidates before the close of poll. A list containing the organisation and persons approved for conducting exit poll was uploaded onto the dedicated election website on 8 December 2023, and was displayed at a prominent spot outside the relevant polling stations on the polling day for public inspection.

CHAPTER 10

THE COUNT

Section 1 – District Committees Constituencies (“DCCs”)

10.1 The “one-stop” polling-cum-counting arrangement was adopted for the DCC election. The counting of votes was conducted in the DCC polling stations after the close of poll for the DCGC elections. The PRO shall count the valid votes obtained by each candidate in accordance with the “block vote” system and “first past the post” voting system as stipulated in section 41A of the DCO.

10.2 The polling hours for the DCC elections ended at 2:30 pm and the corresponding vote-counting work commenced concurrently with that for DCGC election after the close of poll of the latter. During the period, the locked and sealed ballot box was retained in the same station under the safe custody of the PRO. Candidates, their election agents, the polling agents and/or counting agents were allowed to stay in the DCC polling stations to monitor the ballot boxes in the station while waiting for the counting of votes. When the count commenced, candidates, their election agents and/or counting agents, the public and the media were allowed to stay inside the designated area in the counting zone to observe the count. In order to enhance the transparency of the counting process, apart from ICAC officers deployed to monitor the count at the counting stations on that day, the counting stations were also equipped with

video-recording devices to record and archive the entire counting process for follow-up by the LEAs when necessary.

10.3 On the polling day, as there was no DCC elector imprisoned or remanded under the custody of the CSD, or remanded or detained by the LEAs other than the CSD, hence there were no DCC ballot papers from DPSs. During the counting of votes, the counting staff would first screen each and every ballot paper. Clearly invalid ballot papers would be separated and not be counted, whereas questionable ballot papers would be determined by the PROs as to whether they should be counted. The rest of the ballot papers would be sent to the ballot paper recording tables for computer-aided manual counting. Ballot papers determined as valid by the PROs would be counted and input into the computer manually. After all the ballot papers were counted, the PROs would use an approved computer programme to compute the number of votes obtained by each candidate automatically. Upon verification by the PROs, the relevant counting results would immediately be input into the MISES and sent to the SIC of the REO.

10.4 An analysis of the ballot papers in the DCC ballot boxes that were not counted and an analysis of the invalid ballot papers kept by the PROs are shown at **Appendix VI(A)** and **Appendix VII(A)** respectively.

10.5 The election results of the DCCs were announced between 1:10 am and 2:29 am on the day following the polling day and were published in the Gazette on 14 December 2023. Details are set out at **Appendix VIII(A)**.

Section 2 – District Council Geographical Constituencies (“DCGCs”)

10.6 The polling-cum-counting arrangement in previous DC elections was adopted for this DCGC election. After the close of poll, all polling stations, except for the SPSs with less than 200 registered electors allocated and the DPSs, were immediately converted into counting stations for counting the DCGC votes cast at the polling stations.

10.7 To ensure the openness and transparency of the counting process, candidates, their election agents, the polling agents and/or counting agents were allowed to stay in the DCGC polling stations to observe the conversion of the venue into a counting station. In order to monitor the time required for the conversion into counting station with the aim to start the count as soon as possible, the APROs(Statistics) of each polling station in this election had to notify the SIC by using the MISES upon the completion of the conversion. Besides, candidates, their election agents and/or counting agents, the public and the media were allowed to stay inside the counting stations to observe the count.

10.8 As there was no counting of votes at the SPSs and the DPSs, PROs should, pursuant to section 63A of the EAC (EP) (DC) Reg, seal the ballot boxes and relevant electoral materials. Such process was open to candidates, election agents or polling agents for observation. The ballot boxes containing the ballot papers cast at the SPSs were directly delivered to the respective MCSs. On the other hand, ballot papers cast at the DPSs were sent to the corresponding BPSSs for sorting according to their respective constituency. Ballot papers from the same constituency would be placed inside a receptacle and delivered to the

respective MCSs for counting. The sorting process was open to public observation. To protect the secrecy of votes, the ballot papers cast at the SPSs and the DPSs would be mixed with those cast at MCSs in accordance with section 76 of the EAC (EP) (DC) Reg before they were counted.

10.9 During the counting process, according to section 76 of the EAC (EP) (DC) Reg, counting staff should sort the ballot papers by the candidate voted, and identify and separate the invalid ballot papers and questionable ballot papers in the course of counting. In accordance with section 78 of the EAC (EP) (DC) Reg, invalid ballot papers would not be counted. Candidates, election agents or counting agents could inspect these invalid ballot papers but they were not entitled to make any representations to the PRO concerning the ballot papers. Besides, according to section 76 of the EAC (EP) (DC) Reg, the validity of the questionable ballot papers should be determined by the PRO in accordance with section 79 of the EAC (EP) (DC) Reg.

10.10 According to section 79 of the EAC (EP) (DC) Reg, when the PRO was determining the validity of the questionable ballot papers, candidates, election agents or counting agents were allowed to inspect these ballot papers and make representations to the PRO concerning the ballot papers. The PRO would consider the representations and make final decision on the validity of the questionable ballot papers. According to section 80 of the EAC (EP) (DC) Reg, the PRO's decision on a questionable ballot paper was final. The persons specified in section 50 of the DCO may lodge an election petition on specified grounds to question the result of an election in accordance with section 49 of the DCO.

10.11 An analysis of the ballot papers that were not counted (including those invalid and questionable ones that were rejected by the PROs after consideration) is shown at **Appendix VI(B)**. In addition, an analysis of invalid ballot papers kept by the PROs (including those endorsed by the PROs with the words “未用” and “UNUSED” according to section 61 of the EAC (EP) (DC) Reg and with the words “損壞” and “SPOILT” according to section 62) is shown at **Appendix VII(B)**.

10.12 Upon completion of the count, the PROs of all counting stations would make known the result of the counting of votes to candidates, their election agents or counting agents present at the counting stations in accordance with section 80A or 80B of the EAC (EP) (DC) Reg. The candidates, their election agents or counting agents present in the counting zone could request a recount of votes. After it had been ascertained that there was no request for a recount, or counting the re-counted votes¹¹, or when the votes were already re-counted, the PROs would report the results of the count (and the re-count, if any) conducted in their respective counting stations to the SIC by using the MISES. However, following the failure of the EPR System on the polling day, all the DCGC polling stations had activated the fallback mode and switched to using the printed-form FR for issuing ballot papers. Having considered the circumstances of the polling stations that night and to ensure that the counting results could be announced as soon as possible, the SIC instructed the DCGC counting stations to submit the counting results by using paper-based statistical forms by fax to the SIC. The SIC then verified and consolidated the counting

¹¹ Or if such request was rejected by the PRO as being unreasonable in accordance with section 80A(5) or 80B(5) of EAC (EP) (DC) Reg.

results from all counting stations, and notified the PROs of the respective DCGC dominant counting stations the overall counting results of the respective DCGCs. The PROs then informed the candidates or their election agents present to ascertain whether they would like to request a recount. As there was no request for a re-count in this election, the SIC immediately made known the election results to the relevant ROs. After confirming the election result of the DCGC concerned, the ROs declared the election result as soon as practicable in accordance with section 81 of the EAC (EP) (DC) Reg, including posting a notice at a prominent place outside their offices, and sending a copy of the signed notice by email to the SIC. The SIC then faxed the copy of the notice to the relevant PROs. The PROs displayed the copy of the notice outside the counting stations to inform the candidates, their agents, the media and the members of the public of the election results.

10.13 The count and the determination of questionable ballot papers were generally smooth in all counting stations. The whole counting process took about eight hours to complete after the close of poll. The first DCGC election result was announced at 6:24 am on the day following the polling day and the last at 7:58 am. The EAC was satisfied in general with the counting arrangements of this election.

10.14 The election results of the 44 DCGCs were published in the Gazette on 14 December 2023. Details are set out at **Appendix VIII(B)** for reference.

CHAPTER 11

EAC VISITS

11.1 On the day preceding the polling day, the EAC Chairman and two Members of the EAC visited the DCGC polling stations in Eastern District, Sai Kung District and Sha Tin District respectively. They also visited the four NBPSs at Hong Kong Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors' College together to inspect the setting up of polling stations and the on-site drills by the polling staff.

11.2 In the morning of the polling day, the EAC Chairman chaired the second meeting of the CMC to receive briefings by representatives from relevant government departments so as to closely monitor the conduct of the election in real time. After the meeting, the EAC Chairman and the two Members visited the CCC and SIC at the KITEC, and cast their votes at their respective designated polling stations. They then visited the DCGC polling station at Yaumati Catholic Primary School (Hoi Wang Road) together and met with the media. After visiting the polling stations in Kwai Tsing District, Kwun Tong District and Tsuen Wan District respectively in the afternoon, they returned to the CCC to closely monitor the progress and the latest situation of the poll. They met with the media again at the KITEC at around 5:15 pm to provide the latest electoral statistics and answer questions from the press. At 9:45 pm on the polling day, they met with the media once again at the KITEC regarding the failure of the

EPR System and gave the public a prompt account of the incident and the arrangement for extension of the polling hours.

11.3 After the close of poll, the EAC Chairman and the two EAC Members visited the DCC counting station at Ng Wah Catholic Secondary School. The counting work commenced after they emptied the ballot box jointly with the SCMA. The EAC Chairman and the two EAC Members then visited the DCGC counting station at Queen's College, and met with the media after emptying the ballot box jointly with the CE. The overall counting was completed at 7:58 am on 11 December 2023. The EAC Chairman and the two EAC Members met with the media at the KITEC to conclude the election. The EAC considered that notwithstanding the failure of the EPR System during the polling which caused an extension of polling hours accordingly, the election was conducted and completed in an open, honest and fair manner eventually with the concerted efforts of all electoral staff.

CHAPTER 12

THE COMPLAINTS

Section 1 – Introduction

12.1 The complaints handling mechanism is one of the means adopted by the EAC to safeguard the fairness and integrity of the electoral system. Some complaints may reveal the deficiencies in certain aspects of the electoral arrangements and help the EAC make better arrangements in future elections.

12.2 The complaints mechanism also facilitates mutual monitoring among candidates, and enables them to better understand the requirements of the electoral legislation and electoral guidelines. The EAC is committed to handling complaints received fairly and efficiently.

Section 2 – The Complaints Handling Period

12.3 The complaints handling period for the 2023 DC Ordinary Election started from 17 October 2023, i.e. the day when the nomination period commenced, and ended on 24 January 2024, i.e. 45 days after the polling day.

Section 3 – The Complaints Handling Parties

12.4 Altogether five parties are responsible for handling complaints, including the EAC, the ROs, the Police, the ICAC and the PROs (who discharged the duties on the polling day only). Each of these parties has their respective areas of responsibilities depending on the nature of the complaints:

- (a) the EAC is responsible for handling complaint cases not covered by any statutory provisions involving criminal liability;
- (b) the ROs are responsible for handling complaints of a lesser nature under the authority delegated to them by the EAC (e.g. those relating to display of EAs, conduct of unlawful electioneering activities, misuse of sound amplifying devices, etc.);
- (c) the Police handles complaints involving possible criminal offences, e.g. breaches of the EAC (EP) (DC) Reg and criminal damage of EAs;
- (d) the ICAC handles cases involving possible breaches of the ECICO, the Prevention of Bribery Ordinance (Cap. 201) and the ICAC Ordinance (Cap. 204); and
- (e) the PROs handle complaints received at the polling stations on the polling day and take action on those cases which require immediate attention, e.g. unlawful activities that occurred in the polling stations.

12.5 The EAC Secretariat undertakes the co-ordinator role for collating complaint-related statistical information from other parties and compiling consolidated reports about such statistics for submission to the EAC during the complaints handling period.

Section 4 – The Number and Nature of Complaints

12.6 The complaints handling period ended on 24 January 2024. A total of 2 744 complaints were directly received from the public by the aforementioned 5 parties. Details are as follows:

| Complaints Handling Party | No. of Complaints Directly Received from the Public |
|--------------------------------------|--|
| EAC | 1 571 cases |
| ROs | 614 cases |
| Police | 460 cases |
| ICAC | 23 cases |
| PROs | 76 cases |
| Total: | 2 744 cases |

The majority of the complaints were related to EAs (1 293 cases), disturbances to electors caused by loudspeakers/broadcasting vehicles/telephone canvassing/others (626 cases), electioneering activities on private/government premises (294 cases) and polling arrangements (120 cases). A breakdown of the complaints received during the complaints handling period by receiving party and nature is shown at **Appendices IX (A) – (F)**.

Section 5 – Handling of Complaints on the Polling Day

12.7 On the polling day, as mentioned in paragraph 8.9 above, a CC was set up at the REO office in the Treasury Building to handle complaints. The CC was operated by staff of the EAC Secretariat. The ROs also set up district command centres at their offices to receive and handle complaints. The PROs received complaints at the polling/counting stations and handled the complaints on the spot as far as possible. Moreover, designated police officers were on duty in the police stations in the 18 Districts to attend to complaints. Designated ICAC officers also manned a complaint hotline to deal with incoming calls on the polling day.

12.8 The CC, ROs and PROs received a total of 486 complaint cases on the polling day. Some of the complaints involving on the spot incidents, such as unauthorised display of EAs, canvassing in NCZs, noise disturbance to electors caused by loudspeakers, etc. were expeditiously dealt with and resolved. For the more complicated cases, they would take a longer time to handle or have to be referred to the relevant authorities for investigation and follow-up.

12.9 Of the 486 cases handled by the CC, ROs and PROs on the polling day, 148 cases (i.e. 30.45%) were resolved before the close of the poll.

12.10 The CC received a total of 234 cases on the polling day. Among them, 144 required further investigation while the remaining 90 were resolved on the polling day.

12.11 A breakdown of the complaint cases received on the polling day is shown at **Appendices X (A) – (F)**.

Section 6 – The Outcome of Investigations

EAC and ROs

12.12 As at 24 January 2024 (i.e. when the complaints handling period ended), the EAC and ROs received 1 642 cases and 1 752 cases respectively (including cases directly received from the public and cases referred from other government departments/organisations/personnel, see **Appendices IX (B) and (C)** for details). Of the cases which have been dealt with, two cases were found substantiated by the EAC while 962 cases were found substantiated or partially substantiated by the ROs who issued a total of 1 227 warning letters to the infringing parties. There were still 50 cases under investigation by the EAC and ROs.

12.13 A breakdown of the outcome of investigations as at 15 February 2024 is shown at **Appendices XI (A) and (B)**.

Police and ICAC

12.14 Out of the 471 cases handled by the Police¹² (**Appendix IX (D)**), two cases were found substantiated after investigation. The ICAC handled 38 cases¹³ (**Appendix IX (E)**) and none was found substantiated for the time being. There were still 46 cases under investigation by the Police and the ICAC.

12.15 A breakdown of the outcome of investigations as at 15 February 2024 is shown at **Appendices XI (C) and (D)**.

Section 7 – Election Petitions

12.16 According to section 53(1) of the DCO, an election petition questioning an election must be lodged with the Court of First Instance (“CFI”) during the period of two months following the date on which the RO has published the result of the election in the Gazette. The Government does not receive any election petition regarding the 2023 DC Ordinary Election as at 14 February 2024 (i.e. the deadline for lodging election petitions).

¹² The figure includes 460 complaints directly received from the public, and 11 cases referred from other government departments/organisations/personnel.

¹³ The figure includes 23 complaints directly received from the public, and 15 cases referred from other government departments/organisations/personnel.

CHAPTER 13

THE REVIEW AND RECOMMENDATIONS

Section 1 – A General Remark

13.1 The 2023 DC Ordinary Election was aimed to be conducted in an open, honest and fair manner. Under practical and feasible circumstances, the EAC formulated various arrangements for this election, and is satisfied with the overall implementation of the arrangements concerned and the discharge of the related electoral work by the REO. In line with the established practice, the EAC has conducted a comprehensive review of all aspects of the electoral procedures and arrangements after the election with a view to improving the conduct of future elections. The EAC's review findings and the related recommendations are set out in the ensuing paragraphs.

Section 2 – Operational Matters

(A) **The name of the “District Council Ordinary Election”**

13.2 According to section 2 of the DCO, a DC ordinary election means:

- (a) the first election to elect persons to be members of the DC; or

- (b) an election to elect persons to fill the vacancies caused by the expiration of the term of office of the DC.

13.3 The above provision was enacted on 11 March 1999. Pursuant to this provision, “District Council Ordinary Election” has been adopted as the official name of the election ever since the first DC election held in 1999 after the establishment of the HKSAR.

13.4 During the 2023 DC Ordinary Election, the EAC noted the views that although “ordinary election” was a legal term, it might not accurately reflect that the election was conducted to fill the vacancies arising from the expiration of the sixth-term DC. Besides, there were also views that the DC ordinary election was similar to the LegCo general election in nature as it was also conducted to elect members for the new-term of council, and by the same virtue its name should be standardised with that of the latter to make it easier for electors to understand the purpose of the election.

13.5 **Recommendation:** With regard to the name of the DC Ordinary Election, the EAC shares the views mentioned in paragraph 13.4 above, and recommends that the relevant authorities should consider renaming the “District Council Ordinary Election” as the “District Council General Election” by amending the relevant electoral laws, so as to reflect more accurately that the purpose of the election is to fill the vacancies resulted from the expiration of the current DC term.

(B) Participation of Care Team Members in Public Elections

13.6 In the Policy Address delivered in October 2022, the CE announced the establishment of District Services and Community Care Teams (“Care Teams”) in the 18 Districts, with an aim to mobilise community resources and strength to support the Government’s district work and reinforce district networks. The Care Teams have played an important role in improving district governance. As spearheaded by the Government, the Care Teams have collaborated with the DCs to provide services that could better address public needs. As at September 2023 (i.e. before the commencement of the nomination period of this election), the Care Teams in all 18 Districts have been set up and commenced services progressively.

13.7 Of the 399 validly nominated candidates as determined by the DCERC in this election, over 70% also served as Care Team members in their respective Districts.

13.8 During the election period, the EAC noted some comments suggesting that candidates concerned enjoyed greater publicity given their status as Care Team members, which had offered them chances to engage in community support activities and/or approach electors in their respective Districts before the commencement of the nomination period, thereby creating unfairness. In addition, there were comments that candidates, who were also Care Team members, might make use of the resources of the Care Teams to organise and/or participate in election-related activities, which was unfair to other candidates who were not Care Team members.

13.9 The formation of Care Teams is to support the Government's district work, and Care Team members are not barred from serving the community in the capacity of other public offices. Having regard to the concerns mentioned in paragraph 13.8 above, the HAD issued and uploaded to their website the Guidelines for the District Services and Community Care Teams during Public Elections ("Guidelines for Care Teams") regarding the participation of Care Team members in public elections for Care Team members' reference and compliance. The Guidelines for Care Teams set out the basic principles and specific requirements for Care Team members and relevant persons to comply with during public elections (including DC elections). These include individuals concerned must not act in their capacities as office bearers of Care Teams in public elections, or deploy the resources of Care Teams (whether funded by the Government or not) for election-related activities.

13.10 **Recommendation:** The EAC welcomes individuals meeting relevant candidate eligibility to stand for public elections. Like other members of the public, Care Team members must comply with the requirements of the relevant electoral laws and the code of conduct stipulated in the guidelines on election-related activities issued by the EAC if they stand for elections. The relevant requirements apply to all. The EAC also notes that other organisations may also provide further guidelines on conducting election-related activities to groups or individuals under their purview, in order to ensure no conflicts between the relevant groups or individuals and the roles of the organisations when conducting election-related activities. These guidelines are implemented by the relevant organisations but not by the EAC, and they are not part of the Guidelines on Election-related Activities in respect of the District Council Election.

Nevertheless, in view of the important roles of both the Care Teams and DCs in Districts and the fact that individual Care Team members may stand for DC elections, the EAC suggests that in updating the Guidelines in future, candidates, their teams and members of the public would be recommended to make reference to the latest Guidelines for Care Teams on HAD's website¹⁴, so that they can have a full understanding of the code of conduct formulated by the HAD for Care Team members to follow when standing for DC elections.

(C) Contacting District Committee Members for Nomination Matters

13.11 In accordance with section 5A of the DCO, the DCC of each DC is composed of all members of the "Area Committee", "District Fight Crime Committee", and "District Fire Safety Committee" (collectively known as "District Committees") in the District for which the DC is established. Besides, according to section 7(2)(b) of the District Councils (Subscribers and Election Deposit for Nomination) Regulation, a person who intends to seek nomination in respect of a DCGC must obtain signed nominations from not less than three (but not more than six) electors in each of the District Committees in the District.

13.12 In accordance with section 6 of Schedule 4A to the DCO, for political parties or organisations intending to arrange any person to stand as a candidate in the election, those which were represented by validly nominated candidates in

¹⁴ Please refer to the relevant guidelines at HAD's website: https://www.had.gov.hk/tc/public_services/district_services_community_care_teams/relatedguidelines.htm

the last DC Election¹⁵ or those which have publicly declared an intention to arrange any person to stand as a candidate in the current election (including a person yet to be specified) may, for the purpose of an election, make a request to the REO for provision of an extract of the DCC register which contains the full names and principal residential addresses of the DCC electors. In this election, a total of nine political parties or organisations made applications to the REO according to the aforesaid Ordinance and obtained an extract of the relevant DCC register.

13.13 As for other organisations or persons (including some independent non-partisan individuals) that do not meet the statutory requirements for provision of an extract of the DCC register, although the law does not allow them to obtain the extracts, the government has made special arrangements in light of their actual circumstances. First of all, the HAD has uploaded the membership list of District Committees of each District onto its website. Those who are interested in running for the election may approach the relevant electors according to the list to seek nomination. As regards the means of contact, interested persons may contact the Secretariats of the respective District Committees under the HAD in person, by phone or by email for referral of their request for contact to the respective elector(s). The Secretariat will refer such request as soon as possible. In this election, the relevant Secretariats have processed 382 referral requests.

¹⁵ In respect of the DCC register, the last DC Election refers to —

- (i) the last District Council ordinary election held before the gazettal date (i.e. 9 October 2023) of the notice announcing the availability of the relevant DCC register for inspection; or
- (ii) any District Council By-election for a DCC held after the election mentioned in (i) and before the gazettal date (i.e. 9 October 2023) of the notice announcing the availability of the relevant DCC register for inspection.

13.14 Despite the fact that reasonable channels are now available for interested persons to approach District Committee members to seek nomination, there are still views that the arrangements are inadequate. Some interested persons have also complained to the EAC about failure to contact District Committee members directly for nomination.

13.15 On the other hand, the EAC noted that during the current election, a member of the public had filed a judicial review to challenge the nomination mechanism which required candidates of the DC election to secure nominations from DCC electors, arguing that such mechanism was unconstitutional and requesting the Court to abolish it. On 1 December 2023, the CFI handed down a written judgement to dismiss the judicial review application, and held that the nomination mechanism which required candidates of the DC election to secure nominations from DCC electors was consistent with the requirements under the Basic Law and the Hong Kong Bill of Rights. Nevertheless, in its judgment, the Court expressed views on the requirement that prospective candidates must seek the assistance from the Secretariats of the District Committees for referring their requests for contact¹⁶.

13.16 **Recommendation:** In view of the experience of some prospective candidates in this election and the views of the Court, the EAC suggests that the

¹⁶ KWOK CHEUK KIN VS CHIEF EXECUTIVE IN COUNCIL (HCAL 1978/2023) The original text of the judgement in English: “In other words, prospective candidates may well have no means to contact - or “reach out to”, if you prefer that phrase - persons from whom they would require nomination, except to ask the EAC (*remarks: should be the secretariats of the District Committees instead*) to pass on a message asking to be contacted, leaving it entirely to the potential nominator to decide whether to respond at all. Yet, at the same time, prospective candidates are reminded of their “duty” to obtain sufficient nominations in order to comply with the candidacy requirements. There is perhaps room for thinking of a Kafkaesque doorway.” HCAL 1978/2023 [paragraph 66]

Government may consider whether there is room for enhancing the relevant arrangements to further facilitate prospective candidates to liaise with members of the District Committees to seek nominations.

(D) Failure of Some Candidates to Provide the Text Version and English Version of the Introduction to Candidates (“the Introduction”)

13.17 As in previous elections, the REO produced the Introduction in full colour for validly nominated candidates in this election. The Introduction contained the candidates’ candidate number shown on the ballot papers, their colour photograph, name, age, occupation, political affiliation and email address/website, as well as the electoral messages prepared by the candidates. Candidates who wished to use the Introduction to promote their election had to submit the grid papers required to the ROs before the close of the nomination period. Apart from mailing the Introduction, the poll cards and other relevant electoral documents to the electors before the polling day, the REO would also upload the Introduction onto the dedicated election website for electors’ reference.

13.18 The EAC and the REO were very concerned about the needs of visually impaired electors, and had all along been encouraging the candidates to provide typed texts of their Introduction to the REO for preparing a text version of the Introduction, which could be read by visually impaired electors with the aid of computer software or smartphones. In addition, the REO also encouraged the candidates to provide electoral messages in both Chinese and English versions, so as to convey the content of the electoral messages to various electors more

effectively. However, as publication of the Introduction is only an administrative arrangement to help candidates with promotion and is not legally binding, the candidates can decide whether to provide the information or not. As a general principle, candidates should understand the needs of electors and, in the course of their electioneering campaigns, make their utmost efforts to ensure that persons with different needs could have reasonable access to their electoral messages. Nevertheless, candidates had the right to choose the means to promote their election. The content of the Introduction would not be subject to alteration or editing by the REO unless it was considered unlawful, obscene, immoral, indecent, offensive, defamatory, or containing information irrelevant to the promotion of the candidature of the candidate concerned.

13.19 In this election, 398 of the 399 validly nominated candidates submitted the grid papers for preparing the Introduction. However, most candidates only provided their electoral messages in Chinese version. Among them, 47 candidates (about 12%) also provided typed texts of their messages to the REO for preparing a text version of the Introduction. Furthermore, 30 candidates (about 8%) provided their electoral messages in both Chinese and English versions. The submission rate is lower than that in the 2019 DC Ordinary Election¹⁷.

13.20 **Recommendation:** To enable electors with different needs to have access to candidates' information, the EAC considers that the REO should

¹⁷ In the 2019 DC Ordinary Election, 1 088 of the 1 090 validly nominated candidates submitted the grid papers for preparing the Introduction, and 207 of them (about 19%) provided their electoral messages in both Chinese and English versions. Furthermore, 420 candidates (about 39%) also provided a text version of the Introduction.

continue encouraging and reminding candidates to submit their information in typed text form and provide their electoral messages in both Chinese and English versions. The REO should also explore appropriate measures to facilitate candidates' submission of the typed text of their information. For example, candidates should be allowed to submit their Introduction in electronic format, so that they can prepare both graphical and text versions of the Introduction conveniently. Besides, if a candidate chooses to submit only the printed copy of a manually completed grid paper, the REO may consider converting the candidate's information (including the name, age, occupation, political affiliation, email address/website etc. of the candidate) on the grid paper into typed texts for uploading onto the dedicated election website.

(E) Adjusting the Deadline for Candidates to Upload or Submit Copies of Election Advertisements (“EAs”) and the Relevant Information and Documents after the Publication of the EAs

13.21 In the 2012 LegCo General Election, the EAC relaxed the previous requirement for candidates to submit copies of EAs and Consent of Support to the ROs before the publication of the EAs. Under the above relaxation arrangement, candidates were required to upload electronic copies of the relevant EAs, information, permissions or consents onto an open platform maintained by the CEO or a person authorised by the CEO (“Central Platform”) or an open platform maintained by the candidate or a person authorised by the candidate (“Candidate’s Platform”), or submit copies of the relevant advertisements and information to the ROs for public inspection within one working day after the publication of the EAs.

13.22 The above requirement was, in principle, to ensure that elections were conducted in an open, honest and fair manner. The requirement enabled all parties to keep track of the status of EA publication by candidates. It not only allowed the public to monitor the EAs submitted by candidates, but also facilitated the ROs in dealing with complaints relating to EAs and the REO in verifying the accuracy of the relevant election expenses in respect of the EAs declared by candidates in their election returns after the election. Meanwhile, such requirement also provided candidates with flexibility to a certain extent in the course of conducting election campaigns by allowing them to submit EAs and relevant documents in a practicable manner within a reasonable time, so as to satisfy relevant statutory requirements.

13.23 Taking into account the heavy workload of candidates in election campaigns, there would be some difficulties for candidates to submit their EAs and information for public inspection within one working day after the publication of the EAs. Therefore, after balancing various considerations and the needs of different stakeholders, and having reviewed the existing practice of publishing EAs, the EAC has further relaxed the deadline for submitting EAs and related documents from within one working day after the publication of the EAs to within three working days. This arrangement has been implemented since the 2023 DC Ordinary Election.

13.24 After the implementation of the above relaxation arrangement, the candidates would have time to submit their EAs and relevant documents. The public could inspect the EAs and relevant documents on the Central Platform, Candidates' Platforms or at the ROs' offices within three working days after

publication by the candidates, thereby maintaining the transparency of the EAs published by candidates. ROs have not identified any abuse of the relaxation thus far during their handling of EA-related complaints. Overall speaking, relevant complaints were handled within reasonable time.

13.25 In view of the above relaxation arrangement, the deadline for the candidates to submit the Consent of Support has also been relaxed from within one working day after the publication of the EAs to within three working days. However, candidates are still required to obtain written consent from the relevant persons or organisations before the publication of the EAs. We have also enhanced the mechanism of uploading EAs onto the Central Platform in this election. When the candidates or their election agents uploaded the EAs, the Central Platform would automatically remind them that they must obtain prior written consent, and request that they must either confirm that the relevant Consent of Support has already been submitted, or that they have submitted the Consent of Support when uploading the EAs, so as to satisfy the statutory requirements.

13.26 **Recommendation:** The EAC noted that the above relaxation arrangement enabled various parties to have a continued grasp of the status of EA publication by candidates, without causing too much impact on public inspection of the EAs submitted by the candidates, the handling of the EA-related complaints by the ROs, and REO's verification of election expenses declared by the candidates, etc. On the other hand, the candidates were given reasonable time to submit their EAs and relevant documents. After review, the EAC considers that the above relaxation arrangement should continue to be

implemented in future elections as it can strike a balance among the needs of different stakeholders.

(F) Arrangements for Early Delivery of Electoral Materials to Polling Stations

13.27 The EAC proposed in its Report on the 2021 Legislative Council General Election¹⁸ that as a permanent centralised storage facility could not be secured in the short run, the REO should explore the possibility of delivering the required electoral materials to polling stations at government venues about one month before the polling day, so that the REO could have more time to arrange delivery of electoral materials to polling stations at other non-government venues. In light of this, unlike in previous elections where the delivery of electoral materials to polling stations started two weeks before the polling day, the REO had notified venue owners of the polling stations at government venues (including sports centres and community centres, etc.) during the preparation of this election in writing that they were required to receive electoral materials four weeks before the polling day. Prior to the election, the REO had also classified the polling stations into seven categories based on the number of electors allocated to each polling station and drawn up a standardised delivery note for each category of polling stations, so that staff of the REO Stores could arrange and pack the required electoral materials for each polling station in advance. This facilitated the logistics contractor in delivering electoral materials from the REO Stores to polling stations progressively starting from four weeks before the polling day.

¹⁸ Paragraphs 14.71-14.77 of the Report on the 2021 Legislative Council General Election.

13.28 Taking the 2021 LegCo General Election as an example, the logistics contractors were only able to deliver electoral materials to about 30% of the polling stations five days before the set-up day. After REO has put in place the above improvement measure, the logistics contractor had already delivered electoral materials to nearly 60% of the polling stations five days before the set-up day, showing that the progress of delivering electoral materials for this election was greatly advanced as compared to previous elections, with smoother arrangements and noticeably higher efficiency.

13.29 In order to monitor the delivery progress of electoral materials and ascertain their proper storage at the polling stations, the REO set up ten inspection teams for this election to conduct initial inventory check at each polling station starting from two weeks before the polling day to ensure that necessary electoral materials (including ballot boxes and voting compartments) had already been delivered to the venues. The inspection teams had inspected a total of more than 530 (about 80%) polling stations before the set-up day. Regarding the dozens of suspected cases of insufficient materials identified during the inspections, the REO had immediately followed up with the logistics contractor to ensure that appropriate and sufficient electoral materials would be delivered to the polling stations concerned before the polling day.

13.30 Moreover, the REO has been exploring how to better apply information technology (“IT”) in different stages of the election, with a view to further streamlining election procedures, as well as enhancing efficiency and accuracy. In respect of the delivery of electoral materials, the REO introduced a Polling Station Management System in this election through which the logistics

contractor and inspection teams could report the delivery/inspection date, time as well as location to the REO, and upload the photographs of the electoral materials. Through the internal administrator page of the system, REO staff could obtain the above information in real time and monitor the delivery progress of all polling stations more effectively.

13.31 With the adoption of the above enhancement measures, the electoral materials arrived at nearly 700 polling stations and emergency depots of this election as scheduled for polling staff to set up the venue and perform rehearsals before the polling day.

13.32 **Recommendation:** The EAC considers that, in future elections, the REO should continue striving for commencing the delivery of necessary electoral materials to venues used as polling stations and emergency depots about one month before the polling day for storage until the conclusion of the election, thereby allowing more time for the REO to arrange for delivery of electoral materials to other polling stations at non-government venues, so as to alleviate the logistical burden in the lead-up to the polling day.

(G) Near Boundary Polling Stations (“NBPSs”)

13.33 To facilitate voting by Hong Kong people working and living in the Mainland, and to enable them to return to the Mainland to attend to their business promptly after voting in Hong Kong, the REO made a special arrangement for this election by setting up a total of four NBPSs at the covered playgrounds and halls of two schools near the Sheung Shui MTR station, namely Hong Kong

Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors' College.

13.34 This arrangement applied only to DCGC electors but not electors of the DCCs.

13.35 To ensure the smooth and orderly implementation of the NBPS arrangement, a pre-registration system was adopted for the arrangement. Electors should login to the online registration system during the registration period, provide their personal information and choose a specified timeslot for voting on the polling day, so as to be registered to vote at the NBPSs. The REO would send a notification of registration result to the electors concerned via SMS and email (if applicable) instantly after the registration to confirm that they had successfully registered to vote at the NBPSs.

13.36 The registration period of the online registration system for this election was from 9 am on 20 November 2023 to 6 pm on 5 December 2023. In addition, the REO implemented an arrangement, under which once electors entered their mobile phone numbers in the online registration system, the system would immediately send a one-time password to their mobile phone numbers to ensure that the phone numbers provided were correct and could receive SMS messages. On the whole, the operation of the online registration system was smooth, with nearly 13 000 electors registered to vote at NBPSs by the end of the registration period.

13.37 To facilitate electors to cast their votes, the REO arranged shuttle buses to carry electors to and from Sheung Shui MTR station and the NBPSs on the polling day. On the other hand, the REO received enquiries from some electors who claimed to have successfully registered to vote at NBPSs but upon checking with the registration system, no such record could be retrieved. As a result, these electors had to go back to their originally allocated polling stations to vote. In some of these cases, the electors presented to electoral staff the screenshots showing their “successful registration” in the online registration system. However, upon verification, the screenshots of “successful registration” turned out to be a misunderstanding in that the electors had mistaken the “Preview” page of the registration system as a “Confirmation of application” and did not press “Submit” in the system to complete the application process. As a result, their registration was unsuccessful.

13.38 Among the 44 DCGCs in the NBPSs, nine were designated as SPSs in accordance with the law as they each served less than 200 registered voters. After the close of poll, the ballot papers had to be delivered to the corresponding MCSs immediately to be mixed with other ballot papers before counting, and the overall delivery arrangement was smooth. The ballot papers of the remaining 35 DCGCs were counted on the spot, and the counting process was smooth.

13.39 **Recommendation:** The EAC considers that the setting up of NBPSs and the design of the online registration system largely met the electors’ needs. In future public elections, similar arrangements can be made having regard to the actual circumstances and needs. However, if there is a need to set up an online registration system for electors’ pre-registration, the REO should consider in

their design of the system adding a pop-up prompt on the “Preview” page. If electors try to exit the system’s webpage before completing the registration, an alert will pop up to remind them of incomplete registration, so as to avoid the recurrence of the above incidents where electors mistook that they had registered successfully.

(H) Reducing the Scope of No Canvassing Zones (“NCZs”)

13.40 There have all along been views that the scope of NCZs of polling stations in previous elections was too large, and hence candidates and their teams had to conduct canvassing activities at a farther distance from the polling stations on the polling day. In view of this, the ROs, based on actual circumstances, reviewed the NCZs of the polling stations in this election and subsequently reduced their respective scope as appropriate to facilitate candidates’ canvassing activities on the condition that electors could stay undisturbed. In gist, if the situation outside a polling station permits, delineated NCZs would normally include public pavements or carriageways outside the polling station only, and would not cover roadways at a farther distance from the polling station.

13.41 To tie in with the relevant arrangement, the Lands Department issued a letter to notify all candidates of the details of the relevant arrangements. Candidates could conduct electioneering activities, such as setting up street-counters and displaying EAs, etc., outside the re-delineated NCZs.

13.42 **Recommendation:** The EAC noted that the operation of polling stations was generally smooth after the reduction of scope of the NCZs. The

EAC is of the view that when determining the scope of the NCZs in future public elections, the ROs may, having regard to the on-site environment of individual polling stations, reduce the scopes of the NCZs as appropriate with a view to achieving a better balance between facilitating candidates' canvassing activities and providing electors with undisturbed access to the polling stations.

(I) Setting up of “Check-in” Spots

13.43 To further disseminate information of the DC election, the Government made a special arrangement in this election by setting up “check-in” spots next to the polling stations. Each “check-in” spot is equipped with a midsize foam board featuring the election mascots, namely the Ballot Box Family. Members of the public could take photos in front of the foam board while holding various props with slogans.

13.44 Before the election, the REO had invited the DOs to identify suitable locations for setting up “check-in” spots outside the NCZs of a total of 626 designated polling stations and reserve polling stations provided that such arrangement would not disrupt public order¹⁹. In upholding the principle of secrecy of votes, promotional materials at the “check-in” spots would not be placed with their back facing the entrances or exits of the polling stations, so that members of the public would not accidentally take photographs of electors entering or leaving the polling stations. Sufficient electoral staff were also deployed by the PROs to manage the “check-in” spots and the relevant materials

¹⁹ For the 2023 DC Ordinary Election, a total of 604 DCGC polling stations, 18 DCC polling stations, 4 NBPSs and 34 reserve polling stations were set up, i.e. a total of 660 polling station venues.

to ensure obstruction-free access for electors entering or leaving the polling stations.

13.45 On the polling day, the REO deployed four inspection teams to inspect the operation of the “check-in” spots so as to ensure their compliance with relevant guidelines.

13.46 **Recommendation:** The EAC noted that the arrangement of setting up “check-in” spots was generally smooth and was well received by the public. The REO may, in light of the successful experience in this election, consider maintaining this arrangement in future elections.

(J) New Arrangement for Custody and Delivery of Ballot Papers and Printed-form Final Register (“FR”)

13.47 In previous elections, the REO would arrange the PROs and their deputies to go to the REO office in batches starting from one week before the polling day to check and collect the ballot papers and the printed-form FR of their respective polling stations for proper storage at their residences. To ensure that the ballot papers were free from tampering, all ballot papers collected were required to be put in plastic bags affixed with tamper proof sealing strips. The sealed bags of the ballot papers and the printed-form FR were stored in locked suitcases (“ballot paper suitcases”) which would be brought by the PROs and their deputies to the polling stations for use on the polling day.

13.48 To strengthen the security in the safekeeping and delivery of the ballot papers and the printed-form FR, the REO adopted a new arrangement in this election to deliver, with the assistance of the Police, the locked suitcases containing the ballot papers and the printed-form FR to designated police stations before the polling day for temporary storage until the polling day.

13.49 As for the DPSs set up at the penal institutions, emergency depots and three DCGC OPS set up in Cheung Chau, the delivery to respective locations for temporary storage was conducted under the escort of polling staff and Special Constables one day before the polling day.

13.50 In the early morning of the polling day, polling staff of polling stations and Special Constables escorted ballot paper suitcases to the respective polling stations as scheduled. With the assistance of the General Grades Office, the REO had successfully recruited about 290 staff from the Executive Officer (“EO”) and Clerical Officer (“CO”) grades to be designated staff to escort the delivery of ballot paper suitcases before the polling day to designated police stations for temporary storage, as well as to distribute the ballot paper suitcases to polling staff at the designated police stations and perform helpdesk duties at the REO office on the polling day. The REO organised two training sessions for the EO and CO grades staff on 29 November 2023, during which they were briefed on the specific arrangements for the escort of ballot paper suitcases to designated police stations for temporary storage and the distribution of ballot paper suitcases. Relevant demonstration short clips were also produced to ensure that the staff concerned were able to accomplish the tasks of depositing, and retrieval of ballot paper suitcases in a smooth and orderly manners.

13.51 Moreover, the REO set up a Central Co-ordination Centre at its office in KITEC, which commenced operation at 3 am on the polling day to monitor the whole process of delivery of ballot paper suitcases from designated police stations to the polling stations concerned. There was a helpdesk in the Central Co-ordination Centre to receive and handle enquiries from designated staff and polling staff regarding the distribution of ballot paper suitcases. The Central Co-ordination Centre would also take the initiative to understand the situation and provide support if irregularities were detected during the delivery of ballot paper suitcases. On the polling day, the delivery of ballot paper suitcases was smooth and all ballot paper suitcases were delivered smoothly to the polling stations concerned by 7 am as scheduled.

13.52 **Recommendation:** The EAC noted that the delivery of ballot paper suitcases to the polling stations concerned was smooth on the polling day. The EAC is satisfied with the new arrangement adopted in this election for the custody and delivery of the ballot papers and the printed-form FR. Taking into account the smooth operation of the arrangement and that it can enhance the security in the custody and delivery of the ballot papers and the printed-form FR, the EAC considers that the relevant arrangement should continue to be implemented in future elections.

(K) Utilising Information Technology (“IT”) to Optimise the Recruitment and Attendance Record Arrangements for Electoral Staff

13.53 The REO set up three separate electronic systems in this election to utilise IT to optimise the recruitment and attendance record arrangements for electoral staff.

13.54 In previous elections, the REO received applications from serving civil servants to serve as electoral staff mainly in paper form or in the form of files attached to emails. However, processing applications in the above modes was often time-consuming and it took much time for the REO to process the information. To enhance efficiency, the REO set up an “Electronic Platform for Recruitment of Electoral Staff” (the “EPRES”) in this election to facilitate direct submission of personal information by officers nominated by various government bureaux and departments through electronic means in a secure and efficient manner, which would in turn facilitate the REO in handling appointment-related matters. The EPRES also brought convenience to government bureaux and departments in submitting nominations, monitoring the progress of nominations, and reviewing the details of appointment of the nominated civil servants to serve as electoral staff, etc.

13.55 In addition, the REO set up a new electronic system to issue appointment letters to more than 30 000 electoral staff in a more efficient manner, informing them of the details of appointment including their appointed positions, the work locations, the reporting time for duty and the training arrangements, etc.

13.56 Besides, to replace the paper-based attendance record forms used in past elections, the REO set up the “E-sign in/sign out System for Electoral Staff” (the “Sign in/Sign out System”) which was used for the first time at the DCGC OPSs, DCC polling stations, NBPSs and the emergency depots supporting the above polling stations in this election. The Sign in/Sign out System enabled electoral staff to log into the system by scanning the designated QR codes using

their own portable devices (such as smart phones or tablet computers) to indicate their on-duty and off-duty time on the set-up day and polling day. The Sign in/Sign out System also allowed the PROs to monitor the attendance of electoral staff, verify and approve the relevant attendance records for use of calculating the honorarium and related allowances for electoral staff.

13.57 **Recommendation:** The EAC opines that the operation of the three electronic systems set up by the REO was generally smooth, thereby enhancing the efficiency in the recruitment of electoral staff and maintenance of attendance records of electoral staff. Furthermore, the electronic system also provided a more convenient way to calculate the honorarium and related allowances for electoral staff. The EAC recommends that the REO should continue to use the electronic systems concerned in future elections, and review the operational requirements and suitably refine the systems based on the experience of this election to further enhance efficiency in the recruitment and maintenance of attendance records of electoral staff. Enhancement measures for consideration include improving the user interface to facilitate updating of the lists of nominated officers by government bureaux and departments; and enhancing the system for issuing appointment letters to allow greater flexibility in sending appointment and training related information to electoral staff.

(L) **Adjusting the Number of Polling Staff at Ballot Paper Issuing Desks with the Use of the Electronic Poll Register System (“EPR System”) to Issue Ballot Papers**

13.58 In this election, the EPR System continued to be adopted at polling stations, except at DPSs, polling stations with difficulties in installation and support due to their remote locations, or polling stations with unstable network coverage.

13.59 In polling stations adopting the EPR System, each ballot paper issuing desk was equipped with two tablet computers for operation by polling staff and for use by electors respectively. The polling staff would scan electors’ HKID with the tablet computer camera to retrieve their relevant data from the central server stored in the Government Cloud Infrastructure Services Platform for verification purposes. The screens of the polling staff’s tablet computers would show electors’ registered particulars, while the tablet computer screens facing the electors would show their names, partial HKID numbers and types of ballot papers to be collected. The polling staff would then call out the names of the electors with a gentle voice before issuing the ballot papers so as to ensure flawless ballot paper issuance. After the issuance of ballot papers, the EPR record on the central server would be updated accordingly.

13.60 With the use of the EPR System, it is not necessary to search for electors’ entries in the printed-form FR with polling staff’s naked eyes and to draw a line across the printed copies manually when issuing ballot papers during the ballot paper issuing process. This had greatly enhanced the accuracy of the

ballot paper issuing process. Moreover, electors could check their personal data on the tablet screens, which had enhanced the transparency of the whole ballot paper issuing process. In view that the arrangement for issuing ballot papers through the EPR System was smooth in various past elections, and that the EPR System was simple and easy to operate, the REO considered that there was room for streamlining the ballot paper issuing process and the relevant manpower requirement. After reviewing the relevant manpower requirement and ballot paper issuing process, the REO adjusted for the first time the number of polling staff responsible for manning each ballot paper issuing desk from two POs in past elections to one PO in this election. Meanwhile, to ensure effective monitoring of POs and timely provision of guidance and support at the ballot paper issuing desks, the REO set the manning ratio for one APRO to supervise five ballot paper issuing desks to closely monitor the ballot paper issuing process. After the failure of the EPR System on the polling day, printed-form FRs were used for issuance of ballot papers. One PO continued to issue ballot papers at each ballot paper issuing desk under the close supervision of the APRO concerned, and the operation was generally smooth.

13.61 **Recommendation:** The REO considers that the use of the EPR System can greatly enhance the efficiency and accuracy of the relevant ballot paper issuing process. In this election, the arrangement for one polling staff to issue ballot papers at each ballot paper issuing desk (including the arrangement for using printed-form FR for issuance of ballot papers after adopting the fallback mode) was generally smooth, and it was prudent and effective for the REO to deploy APROs at a fixed ratio to monitor the polling staff's work at the ballot paper issuing desks. The REO recommends that this arrangement should

continue at polling stations adopting the EPR System in future elections, which would reduce the number of staff at the ballot paper issuing desks and would also be effective in streamlining and monitoring the workflow for ballot paper issuance.

(M) Installing Networks for Electronic Poll Register System (“EPR System”) and Providing Technical Support for Information Technology (“IT”) Systems in Ordinary Polling Stations (“OPSs”) Using Electronic Poll Register System

13.62 To facilitate the polling process and management, the REO, apart from adopting the EPR System to issue ballot papers in this election, also utilised the MISES to report electoral statistics, the electronic attendance recording function of the EPRES to maintain the attendance records of electoral staff, and the Polling Station Management System to request replenishment of electoral materials and obtain forms for polling stations.

13.63 To ensure the proper installation and smooth operation of the above IT systems on the set-up day and polling day, the REO formulated a technical support staff mobilisation plan and, in close consultation with the OGCIO and EMSD, recruited sufficient IT staff with the necessary technical know-how. With the full co-ordination of the OGCIO and the proactive assistance of the EMSD, the REO recruited more than 700 Analyst/Programmer Grade staff or staff from other grades who had technical know-how and experience in electronic equipment to serve as APROs(IT). They provided technical support

for various IT systems and performed related practical work at polling stations on the set-up day and polling day.

13.64 In addition, among APROs(IT), the REO deployed 74 to serve on the APROs(IT) Special Team (“Special Team”). Starting from ten working days before the set-up day, they acted as the spearheads of technical support and the key contact persons with relevant stakeholders (including persons-in-charge of polling station venues, logistics contractors and the EMSD). They also conducted multiple site inspections at the polling stations employing IT systems, received system equipment, carried out technical equipment installation work, and conducted preliminary tests for the broadband line installed. On the set-up day and polling day, they closely monitored the set-up situation and operational progress of the systems, and provided bilateral support to the CCC and APROs(IT) stationed at the polling stations.

13.65 Apart from deploying the Special Team and APROs(IT), with the support of the OGCIO, the REO also implemented the recommendation made by the EAC in the Report on the 2021 Legislative Council General Election to deploy over 640 IT staff employed through term-contracts (“T-contract staff”) centrally administered by the OGCIO to serve as IT Support Specialists. On the set-up day and polling day, the IT Support Specialists assisted the APROs(IT) stationed at polling stations with practical set-up and testing of various IT systems, and provided reliable technical support. As the IT Support Specialists were already providing daily services to various departments, they had a good understanding of the standard of the Government’s internal IT systems and the relevant operational requirements for technical support for IT systems of

different departments. They also had a stronger commitment to the assigned duties through internal deployment within the Government, which prevented possible teething problems and absences encountered when external contractors were engaged to provide temporary services.

13.66 **Recommendation:** The APROs(IT) Special Team, on-site APROs(IT) and IT Support Specialists provided professional support in this election. In view that the Special Team played a very important role as a pivot, the EAC recommends that the size of the team should be increased and more staff with relevant technical support experience should be recruited from a wider range of departments in future elections. By reducing the number of polling stations undertaken by each member of the team, they would be able to follow up in greater detail on venue preparation at different stages before the polling day, report promptly to the CCC and provide speedier technical support on the polling day.

13.67 In addition, with the co-ordination of OGCIO, the REO successfully implemented the recommendation made in the Report on the 2021 Legislative Council General Election by deploying a substantial number of T-contract staff for the first time to provide reliable and professional on-site technical support at the polling stations in this election. The EAC is of the view that such arrangement should continue in future elections to ensure provision of adequate IT manpower support.

(N) **Polling and Counting Arrangements for the District Committees Constituencies (“DCCs”)**

Polling Arrangements

13.68 The DCCs were newly introduced in this election. A total of 176 members were elected by DCC electors in the 18 Districts for their respective Districts. Considering that the DCC electors did not necessarily live in the same Districts to which their respective DCCs belonged, the “combined voting arrangement” was not adopted in this election. The DCC electors were required to go to their respective DCC polling stations and DCGC polling stations to vote.

13.69 As for the voting system of the DCCs, a “block vote” system was adopted, i.e. the number of candidates each elector voted for must be equal to the number of members to be returned for the relevant DCCs in the election, which ranged from four to 16 seats. In view of this, the REO set up three sets of BPCS in each of the 18 polling stations for use by electors. The BPCS scanned the marked ballot papers of electors by means of artificial intelligence, so that electors could check for themselves whether the number of candidates they voted for on the ballot papers was equal to the number of members to be returned for the relevant DCCs. However, the choices of the electors would not be recorded or counted by the BPCS. The REO also produced and mailed the “Illustration on Marking the DCC Ballot Paper and Using Ballot Paper Checking System” to the relevant electors before the polling day, and put up relevant notices in the polling stations. Though the use of the BPCS was voluntary, the REO noted

that most of the electors had used the BPCS to check the number of candidates they voted for on the ballot papers.

13.70 **Recommendation:** Although the “combined voting arrangement” was not adopted in this election, DCC electors, due to their close ties with the Districts of their respective DCCs, would not find it too inconvenient to go to the DCC polling stations in the relevant Districts to cast their votes. Moreover, the prevailing arrangements obviate the need to sort the DCC ballot papers from all relevant polling stations according to 18 DCCs first after the close of poll, which is followed by the delivery to the MCSs of the respective DCCs for mixing with the ballot papers cast in that counting stations before counting. Such arrangements greatly reduces the complexity of the operation of polling stations and counting arrangements, thereby facilitating a smooth and efficient conduct of counting process, and enabling candidates and members of the public to learn about the election results earlier. As such, the EAC is of the view that the REO should continue to adopt the same arrangements in future elections.

13.71 Besides, the EAC opines that the BPCS ran smoothly in this election and served its intended purpose by aiding electors to check whether the number of candidates voted for on the ballot papers was correct. The REO should consider the continued provision of such system in future elections, and explore if its operation has room for further enhancement.

Counting Arrangements

13.72 In respect of counting arrangements, the REO formulated each step after taking the relevant statutory requirements and the actual circumstances into consideration, and strengthened the training of counting staff to ensure an efficient and smooth counting process. The counting of votes was generally smooth, and the election results of the DCCs were announced progressively from 1:10 am to 2:29 am on the day after the polling day.

13.73 **Recommendation:** The counting arrangements for the DCC elections were generally smooth. The system testing, quality assurance, staff training, etc. arranged for the vote-counting digital application had ensured its reliability, accuracy and efficiency. The counting procedures under the “block vote” system are more complicated than those under the “single vote” system. To ensure the smooth conduct of the count, the REO had provided more diversified training and increased the total training hours in this election. In order to increase the counting efficiency in an election which adopts the “block vote” system, the EAC opines that the REO should actively delve into the wider use of IT, including the feasibility of introducing an electronic counting system to assist the counting of DCC votes.

(O) Failure of the Electronic Poll Register System (“EPR System”)

13.74 The primary functions of the EPR System are to verify the identity of electors for validation of issuance of ballot papers on the polling day, and to compile the polling statistics for public announcement.

13.75 The polling for the 2023 DC Ordinary Election commenced at 8:30 am on 10 December. The EPR System operated smoothly during most of the polling day. At 7:37 pm, some polling stations reported to the CCC that they were unable to use the EPR System to issue ballot paper to electors. The REO reported to the EAC immediately and tried to troubleshoot the system problem in accordance with the established procedures but in vain. At 8:12 pm, the EAC decided to activate the EPR System fallback mode whereby the CCC instructed the polling stations to use the printed copies of the FRs for issuing ballot papers instead. At 9:45 pm, the EAC held a press stand-up to announce the relevant arrangements and the extension of polling hours to 0 am on 11 December.

13.76 Regarding the failure of the EPR System, the CE instructed the EAC to establish a dedicated investigation group (“IG”) to find out the root causes of the incident, so that precautionary measures could be taken to prevent the recurrence of similar incidents in future. The IG was led by EAC member, Mr Bernard MAN, SC, with members from the OGCIO, the Cyber Security and Technology Crime Bureau of the Police and the Information Technology Management Division of the REO. Professor CHEUNG Shing-chi and Professor Raymond WONG Chi-wing from the Department of Computer Science and Engineering of the Hong Kong University of Science and Technology were also invited to provide professional advice to the IG.

13.77 On 26 January 2024, the IG submitted to the CE the mid-term report on the investigation findings of the system failure incident. In collaboration with the experts, the IG has then further conducted in-depth review on the investigation findings and related analyses, and formulated recommendations for

improvement. Its final investigation findings and recommendations have been submitted to and endorsed by the EAC. The details are provided in paragraphs 13.78 to 13.87 below.

13.78 The IG held multiple meetings. On the basis of the server log and other records, the IG made analysis of the information and throughput data of the EPR System's operating programmes, and conducted a series of simulation tests based on the relevant data, during which the parameters of the system were monitored so as to identify the causes of the system failure.

13.79 The IG noticed that, at the time of the incident, the utilisation of the Central Processing Unit ("CPU") of the cloud database ("DB") server of the EPR System had reached almost 100%. The results of the simulations revealed that there were design issues with two programmes of the EPR System, i.e. the login programme for the electoral staff and the voter turnout statistics enquiry programme. Due to the design issues, the computation time increased as the data volume in the DB grew, which means that the computation time would become longer as the polling progressed. Hence, although the operation of the EPR System was generally normal earlier on the polling day, the CPU of the DB server eventually failed to work properly due to its overloading at 7:37 pm (i.e. 11 hours after the polling commenced).

13.80 In the course of the simulations, the IG also found that the CPU was not the sole bottleneck in the DB server. After conducting the above simulations, the IG compared the relevant data with those in the server on the polling day, and found that sequential requests queued up in the DB upon login

by staff owing to another design issue with the login programme for the electoral staff. The queuing of login requests would unnecessarily tie up a substantial amount of resources in the application server, especially the thread pool. Since these resources were shared with other programmes, including the ballot paper issuing programme, any congestion in the thread pool would cause the EPR System to experience difficulty in executing the ballot paper issuing process. These were the main causes of the system's failure to issue ballot papers in the evening of the polling day.

13.81 After review, the IG found that the aforesaid design issues with the computer programmes were caused by the design changes made by the REO to meet the operational needs of this election. However, when altering the system design, the REO's technical team did not fully consider the possible impacts on traffic and associativity of the system whilst operating under pressure, and therefore did not conduct sufficient and comprehensive load test, thereby leading to this incident.

13.82 Based on the recommendations made by the above-mentioned two professors of the Hong Kong University of Science and Technology, the IG conducted another round of more in-depth simulations primarily to further ascertain the root causes of this incident. Some reverse simulations were also conducted as a means of patching tests on each element that might lead to the occurrence of this incident. The test results confirmed that if the design issues with the system login programme and the voter turnout statistics enquiry programme were standalone problems, the incident would not have occurred during the operation of the system. Overall speaking, the failure of the EPR

System to issue ballot papers was attributable to the cumulative effect from the simultaneous operation of the above two programmes with their design issues. Besides, the test results also indicated that the system failure could be avoided if the loading capacity of the cloud server was doubled before congestion occurred in the thread pool.

13.83 In respect of the security measures for the EPR System, given the importance of the system, the EAC and the REO had put in place a set of system security arrangements under a three-tier confirmation mechanism for the development and daily management of the EPR System. The first tier involved in-house tests conducted by the user groups and the technical team of the REO; the second tier involved assessments and tests conducted by the independent contractors engaged by the REO on the newly developed system or alterations and adjustments of the existing system, including the impacts on personal data privacy, system security and system operation; and the third tier involved a comprehensive review on all aspects of the system (including its enhancement and adjustments) conducted by a Technical Advisory Committee (“TAC”) comprising experts from various fields invited by the EAC, including the OGCIO and the experts and scholars from universities and IT sectors, to ensure that the security and integrity of the system were properly protected.

13.84 In this election, the above-mentioned system security arrangements under a three-tier confirmation mechanism did not achieve the intended effect of detecting and correcting the aforesaid technical problems prior to the incident. According to the investigation of the IG, on the one hand, the REO’s technical team did not fully consider the actual impact possibly induced by the alterations

when altering the system design, and thus concluded that the design changes were of a minor nature and did not conduct comprehensive and sufficient testing. On the other hand, when the REO's technical team submitted alterations to the other two tiers, they failed to fully explain the details of the alterations made and the possible impacts and risks involved. As a result, the two latter tiers were unable to fully grasp the possible consequences of the alterations in programme design.

13.85 Moreover, the IG also confirmed after review that the EPR System was a "closed" system. Only electoral staff could log in through tablet computers provided by the REO. Any other external parties or devices that attempt to access the EPR System would be rejected by the firewall and would not be able to connect. After the incident, the IG carried out a comprehensive check on the system's firewall log and did not discover records of any external device attempting to access the EPR System. Hence, the possibility of an external attack has been ruled out. In addition, after a thorough investigation into the incident, the Police did not find any evidence that the system failure was caused by factors involving any criminal elements.

13.86 Summarising the above findings, the IG is of the view that the main cause of the failure of the EPR System was that when altering the system design, the REO's technical team did not fully consider the cumulative effect and impacts on loading that might be induced to the system during actual operation, and therefore did not conduct sufficient and comprehensive load test. At the same time, when submitting alterations to the other two tiers, the REO's technical team did not adequately explain the details of the alterations and

various possible impacts. As a result, the two latter tiers were unable to fully grasp the possible consequences of the relevant alterations in programme designs.

13.87 **Recommendation:** After a detailed examination of the IG's investigation results in respect of the failure of the EPR System, the EAC recommends that the REO should identify suitable experts to rectify the design issues of the two programmes as soon as possible, and should conduct adequate, comprehensive and stringent tests to ensure a faultless design with no adverse impact on the system and its overall operation. In addition, the security and reliability of the system should also be confirmed by an independent contractor and the TAC in accordance with the following mechanism. Furthermore, taking into account the fact that the security arrangements under the three-tier confirmation mechanism did not achieve the intended effect in this incident, the EAC also recommends that the REO should consider implementing the following improvement measures for system management:

- (a) Strengthening the Security Arrangements under the Three-tier Confirmation Mechanism
 - (i) Under the current three-tier confirmation arrangement, the first tier is for the REO's technical team to conduct relevant testing as well as technical and impact assessments in response to any system enhancement alterations. At the same time, when the relevant enhancement alterations are assessed by the other two tiers (i.e. the appointed independent contractor and the TAC), the

REO's technical team will also be responsible for making liaison and referral arrangements. The EAC is of the view that the REO's technical team was on the one hand responsible for the implementation or execution of the system enhancement and alteration works, but on the other hand it was in charge of the supervision of the first-tier confirmation as well as the liaison and referral arrangements with the second and third tiers. This gave rise to a suspected conflict of roles, and that a reasonable assessment of the system alterations in an objective and impartial manner could not be made, which was precisely reflected in this incident. The EAC therefore recommends that the REO's technical team continues to be responsible for the daily system repair and maintenance as well as the enhancement and upgrade works, while the work and functions of the first-tier confirmation should be taken up by the proposed Mission Critical System Development and Maintenance Board ("the Board"). It is suggested that the Board should comprise the management, the technical team and the relevant internal divisions of the REO, as well as technical experts from the OGCI. The scope of systems to be scrutinised by the Board should cover, in addition to the EPR System, other election-related mission critical systems of the REO (i.e. the computer systems which have direct and significant connection with and impact on the operation of the elections and the related work. The specific scope of systems will be discussed and determined by the Board after its establishment);

- (ii) Upon the establishment of the Board, any requests for alterations to the election-related mission critical systems (including the EPR System) must be scrutinised by the Board. The Board must exercise due care and conduct a thorough analysis of whether all proposed alterations are necessary, and whether the revised design is reasonable and feasible. They must also assess any substantial or potential impact and risks that the alterations may have on the systems and the overall electoral operation. The Board may request the REO's technical team to submit a prototype of the proposed design for further examination and consideration. In addition, for the sake of prudence, the EAC further recommends that any requests for alterations to the mission critical systems, after being scrutinised and endorsed by the Board, should be submitted to the TAC for scrutiny and endorsement before commencing the relevant alteration;
- (iii) Upon the completion of relevant system alterations, the EAC recommends to maintain the current arrangement, i.e. the details of the alterations are submitted to the other two tiers of the confirmation mechanism for relevant assessments (as mentioned above, the Board will take up the role for the liaison with and referral to the second and third tiers of the confirmation mechanism). This is to ensure that the system is secure and reliable in all aspects. Specifically, the independent contractor at the second tier must conduct comprehensive and thorough security risk assessment and audit, privacy impact assessment,

independent tests and computer audits. The scope and content of the relevant tests should be determined by the Board, and should cover all functions of the system, especially for its cumulative effects during the overall operation. In addition, the EAC also recommends that the REO should, with reference to the OGCIO's current testing arrangement for the launch of large-scale Government's digital service systems, hand over the details of alterations to the relevant mission critical systems to an independent third party contractor arranged by the OGCIO for independent load tests and stress tests, and then examine and follow up the test results and recommendations confirmed by the OGCIO; and

- (iv) As regards the third tier of the confirmation mechanism, when the relevant alteration arrangement is endorsed by the first and second tiers (including an independent third party contractor arranged by the OGCIO), the Board must submit to the TAC details of all relevant alterations and their possible implications on the system, as well as reports on the relevant testing, evaluation and audit results. The TAC can also, if deemed necessary, direct the REO to further consult other experts to ensure the secured and smooth operation of the relevant alterations and the system as a whole.
- (b) The EPR System is different in nature from other government IT systems in that it was only used on a large scale in the 2021 LegCo

General Election and this election. Although the REO's technical team had conducted multiple tests beforehand, they did not have the opportunity to identify the insufficiency of the system through actual operation so as to make modifications as appropriate. When operational errors were detected on the polling day, the EPR System could hardly be temporarily suspended for urgent maintenance. Therefore, the EAC recommends that the REO should proactively consider running simulations resembling a large-scale election on a regular basis, thereby identifying potential operational issues and making timely rectifications and continuous enhancements to the system.

13.88 Since its introduction by the REO in 2021, the EPR System has indeed enhanced the flow and accuracy of the ballot paper issuing process in various elections in recent years. As such, the EAC opines that the REO should continue to leverage IT to make the electoral process more efficient and user-friendly. The REO should learn a lesson from this system failure, and actively implement the above recommendations to prevent the recurrence of similar incidents in future.

13.89 As to whether any individual officers should be held responsible for the incident, it will be followed up by the Administration according to the established procedures.

(P) **Arrangement for Designating the Day following an Election Day as a School Holiday**

13.90 In the major public elections in recent years, around half of the polling and counting stations were set up in premises of various types of schools, including secondary schools, primary schools and kindergartens. After the close of poll and the completion of the count, some of the school premises used as polling stations could only be returned to schools in the morning following the election day. Therefore, to facilitate the smooth conduct of elections and reduce the impact of the elections on schools' operation, the Government has adopted the EAC's proposal to designate the day following the election day as a school holiday. After consulting relevant stakeholders, the Education Bureau ("EDB") announced in the Education Bureau Circular No. 5/2020 that starting from the 2020/21 school year, all schools offering formal curriculum, including public, Direct Subsidy Scheme and private secondary schools, primary schools, kindergartens and kindergarten-cum-child care centres, shall designate the day following the election day of the DC ordinary elections and the LegCo general elections as a school holiday.

13.91 Before the polling day of this election, there were views that under the Government's current practice to require all schools in Hong Kong to designate the day following the election day as a school holiday, some parents might not cast their votes as they might make use of the three-day long holiday resulted from the combination of the weekend and the back-to-back school holiday for outbound travel, which would lower the voter turnout rate. It was therefore suggested that the Government should conduct a review to consider, for example,

only requiring schools which had lent out their premises for use as polling and counting stations to implement the above school holiday arrangement.

13.92 **Recommendation:** The EAC is of the view that there is a genuine need for the current arrangement for designating the day following an election day as a school holiday. First of all, in all major elections in recent years, including this election, there were cases where the counting stations were unable to complete the counting process and clean up the premises by 6 am on the day following the election and, as a result, the polling staff could only return the premises to the schools later during the day. In view that the time of the completion of counting and return of premises are affected by various factors, to avoid interruption to the count, designating the day following an election day as a school holiday can ensure that the entire counting process can be completed within the same premises for polling-cum-counting stations set up in schools, and that the polling staff will not need to relocate the count to a reserve counting station in order to return the premises by 6 am. This can, on the one hand, save time and avoid the risks involved in the transportation of ballot papers and other electoral materials to the reserve counting stations, so as to avoid causing delay to the counting process; and on the other hand, minimise the impact on the operation of schools and enable the schools to plan their schedules in advance, which helps to encourage schools to lend out their premises for use in the elections.

13.93 As regards the views that the Government may consider only allowing the schools which have lent out their premises for use as polling and counting stations to implement the above arrangement concerning the school holiday, the

EAC considers it operationally infeasible. Generally speaking, schools are required under section 79 of the Education Regulations (Cap. 279A) to send to the EDB before 15 August in each year a notice of all holidays intended for the coming school year, and in actual operation schools would plan for the school calendar for the next school year at a much earlier juncture. On the other hand, in accordance with section 31(1) of the EAC (EP) (DC) Reg and section 28(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), the REO shall designate, by notice published in the Gazette at least 10 days before polling day a particular place as a polling and/or counting station for the DC election or the LegCo election. Taking the 2021 LegCo General Election and the 2023 DC Ordinary Election which were both conducted in December, as examples, if the schools concerned can only confirm whether their premises will be used as polling and/or counting stations after the announcement of polling and counting station venues near the polling day (i.e. around November), they may not be able to make suitable arrangements timely or may need to change the lesson and teaching arrangements at a later stage. The above will cause inconvenience or confusion to the school administration, teachers, staff, students and parents.

13.94 With the current arrangement (i.e. all schools will designate the day following the election day as a school holiday), those schools which have not lent out their premises for use as polling and counting stations may, based on their own circumstances, make flexible arrangements, such as organising suitable extracurricular activities for their students on the election day and the holiday on the following day.

13.95 The EAC also noted that kindergartens and kindergarten-cum-child care centres were less likely to be used as polling and/or counting stations because of the relatively small sizes of their campuses. In this election, only about 20 kindergartens and kindergarten-cum-child care centres were used as polling stations, representing 6% of the total of about 360 polling stations set up in schools and about 2% of the total of about 1 010 kindergartens in Hong Kong. In view of the above figures, the arrangement for designating the day following the polling day of a major election as a school holiday should not be rigidly applied to kindergartens and kindergarten-cum-child care centres.

13.96 Considering all the above factors, the EAC is of the view that the arrangement of designating the day following an election day as a school holiday for secondary schools and primary schools should be maintained in major public elections in the future. As for the kindergartens and kindergarten-cum-child care centres, they may make suitable arrangements flexibly having regard to their respective school-based assessments and actual circumstances.

CHAPTER 14

A CONCLUDING NOTE

Section 1 – Acknowledgement

14.1 The smooth conclusion of this election was attributable to the full dedication and concerted efforts of all parties involved.

14.2 The EAC and the REO are thankful for the support and assistance rendered by different government bureaux/departments and public bodies during the preparation for this election, especially members of the CMC including the CMAB, HYAB, Security Bureau, HAD, DoJ, the Police, ISD, OGCIO, EMSD and Civil Aid Service.

14.3 The EAC would like to express heartfelt gratitude to CMAB for reviewing every electoral process and procedure with the EAC and the REO throughout the preparation period, and providing valuable advice, with a view to suitably introducing highly-efficient and user-friendly measures to facilitate electors and candidates. In addition, the EAC is grateful for the full co-ordination and co-operation of the CMAB, EDB and HAD in arranging the setting up of the NBPSs at two schools near Sheung Shui MTR station to facilitate DCGC electors who were in the Mainland or needed to travel to and from the Mainland on the polling day to cast their votes.

14.4 The EAC would like to express special thanks to all colleagues of the REO for their dedication and hard work in this election. The District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023. The REO had to prepare for such a large-scale election in accordance with the newly amended ordinance within a very tight timeframe, and many arrangements involved are unprecedented, including the early delivery of election materials to the polling station venues to alleviate the logistical burden, the arrangement for temporary storage of ballot papers at police stations for the first time and their escort by Special Constables to the polling stations in the morning of the polling day, the smooth completion of the polling and counting work of the newly established DCC, the setting up of “check-in” spots in the vicinity of more than 600 polling stations and the establishment of four NBPSs at two schools in Sheung Shui. It was not easy for the REO to properly handle all aspects of the electoral arrangements. In the face of all these challenges, colleagues of the REO were able to rise to the challenges with their best effort, and continue to complete every task with dedication, utmost professionalism and conscientiousness. Despite the failure of the EPR System on the polling day, the REO activated the fallback mode swiftly so that the entire election could be completed smoothly in the end.

14.5 The EAC is also grateful for all the staff who took up the duties of ROs, AROs, PROs, DPROs and APROs, and all polling and counting staff, as well as all other supporting staff, for their dedicated efforts and contribution to this election. There was a large number of polling stations in this election, and the staff were required to attend multiple training sessions to cope with the huge workload. On the polling day, despite the long working hours, they still

discharged their duties with perseverance and commitment. The EAC paid great tribute to their efforts.

14.6 The EAC would like to express heartfelt gratitude especially to all PROs and their deputies who worked arduously from at least a week before the polling day until the polling day and the completion of vote counting. Other than working on the polling day, they and their teams also spent a lot of time setting up the polling stations, conducting rehearsals and testing of the EPR System, as well as allocating duties to staff of the polling stations on the day preceding the polling day. The EAC would like to thank all the PROs and other electoral staff again.

14.7 The EAC would also like to express its appreciation to the CSD, the Police, ICAC and Civil Aid Service for their assistance and support in this election, including arranging for registered electors who were imprisoned or remanded in custody to vote on the polling day, deploying staff to the polling stations and counting stations, and maintaining good order at the polling stations and counting stations, to ensure the smooth conduct of the election.

14.8 The EPR System continued to be used on a large scale in this election for issuing ballot papers at polling stations. The EAC is grateful to the TAC for its valuable advice and to the OGCIO and EMSD for their full support. Under the co-ordination of the OGCIO, a special team of APROs(IT) was seconded to the REO ten working days preceding the set-up day to receive enhanced training, conduct multiple visits to all polling station venues in advance, as well as to receive the delivery of system equipment and conduct preliminary network tests

with a view to ensuring that the EPR System was installed as soon as possible on the set-up day. At the same time, the EMSD also seconded its staff with technical experience in electronic equipment to the special team of APROs(IT) for the first time, and nominated other relevant technical staff to serve as APROs(IT) providing enhanced support for the polling stations as a whole. In addition, T-contract staff centrally administered by the OGCIIO were also deployed to the polling stations for the first time to assist in the work of the station-based APROs(IT), and provide reliable and professional technical support to the polling stations. The EAC would like to thank the OGCIIO and EMSD, and also express its gratitude to the special team of APROs(IT), the station-based APROs(IT) and the T-contract staff.

14.9 The EAC would also like to thank members of the IG for their efforts and professionalism in conducting the investigation into the failure of the EPR System. In particular, the EAC would like to give thanks to Professor CHEUNG Shing-chi and Professor Raymond WONG Chi-wing of the Department of Computer Science and Engineering of the Hong Kong University of Science and Technology, who provided professional advice to the IG, assisted in identifying the root causes of the incident and made valuable suggestions for improvement.

14.10 In this election, the delivery of election materials to the polling station venues commenced earlier than scheduled. The EAC thanks the relevant government bureaux and departments, including the CMAB, EDB, HYAB, HAD, Leisure and Cultural Services Department and Social Welfare Department, for facilitating the communication and explanation between the

REO and the persons-in-charge of the relevant venues, thereby enabling the smooth completion of the aforementioned early delivery of electoral materials to the polling station venues. The EAC would like to express its gratitude to the management bodies of the venues concerned for their full co-operation in making various logistical arrangements to enable the materials to be delivered to the venues as scheduled and facilitate the smooth conduct of the election.

14.11 Regarding the new arrangement adopted in this election for the custody and delivery of the ballot papers and the printed-form FR, the EAC expresses its heartfelt gratitude to the Police and the General Grades Office for their full support, and is grateful to the relevant government bureaux/departments and relevant polling station venues for their assistance and co-operation.

14.12 The EAC is grateful to the media who had greatly enhanced the transparency of this election by giving it a wide and in-depth coverage.

14.13 The EAC is also thankful to candidates, canvassers, building management bodies and members of the public who had complied with the electoral legislation and the Guidelines.

14.14 The EAC would like to thank electors who enthusiastically participated in the poll.

Section 2 – Looking Forward

14.15 Despite the failure of the EPR System which resulted in an extension of the polling hours of this election, the election was eventually completed smoothly with the concerted efforts of all electoral staff. The failure of the EPR System did not affect the safe and orderly conduct of this election in an open, honest and fair manner. The EAC is generally satisfied with the overall electoral arrangements. The review findings and recommendations on various electoral procedures and arrangements, as well as the investigation findings and recommendations of the IG on the failure of the EPR System, are set out in Chapter 13 of this report. The EAC accepted the recommendations of the IG, and would follow up with REO to implement the relevant recommendations to ensure the smooth operation of the system in future.

14.16 The EAC will continue to stay committed to fulfilling its mission of safeguarding the integrity of public elections in Hong Kong. It will continue with its efforts in keeping a vigilant watch over various elections to ensure that openness, honesty and fairness are achieved in elections. The EAC sincerely hopes that members of the public would further foster their understanding of the electoral laws and electoral arrangements of the HKSAR so as to maintain the good election culture in Hong Kong. The EAC also welcomes any practicable suggestions from all sectors of the society to bring about enhancements to the electoral arrangements in future.

14.17 The EAC recommends that this report be made public, at a time the CE considers appropriate, to give the public a clearer picture of how the EAC conducted and supervised the work of this election.