

EAC responds to contact information of DCC electors for DCOE

The following is issued on behalf of the Electoral Affairs Commission:

In view of recent views that the Electoral Affairs Commission (EAC) has not provided contact information of the District Committees constituency (DCC) electors under the 2023 District Council Ordinary Election (DCOE), rendering prospective candidates unable to seek nomination, possibly affecting their rights to stand for election, the EAC today (October 5) reiterates that:

The EAC has all along handled electors' personal data in strict accordance with the prevailing electoral and other relevant legislation. According to relevant court judgments, the EAC is also obliged to respect and appropriately protect the privacy of electors' personal data. Under prevailing electoral legislation, whilst the Electoral Registration Officer may provide extracts from voter registers to specified persons (i.e. eligible bodies or organisations and validly nominated candidates) for election-related purposes after such registers have been published, the EAC is not authorised to make electors' personal information available to the general public. As such, the EAC has not made available to the public the personal information, including contact information, of electors in the 2023 DCOE (including DCC electors).

The EAC understands that the Government has considered the practical circumstances of prospective candidates in this election and made corresponding arrangements, whereby any person who wish to seek nomination from DCC electors may reach out to the District Offices, which serve as the secretariats of the respective District Committees, to make a request to contact the relevant members of the District Committees. The secretariats will relay such requests and contact information to the relevant members as soon as possible for them to decide whether to make contact with the requestors.

The EAC reiterates that it is the duty of a prospective candidate to obtain sufficient nomination in order to comply with the candidacy requirements. Separately, whether to respond to a request for nomination by a prospective candidate and subscribe to his/her nomination form is a choice for a subscriber to make. The Government has provided a reasonable channel and made relevant arrangements for prospective candidates to reach subscribers and seek nomination. There is hence no issue of having no means of contacting subscribers such that the right to stand for election is undermined, rendering the election unfair.

As an independent, impartial and apolitical body, the EAC will continue to conduct and supervise public elections in strict accordance with the law, ensuring that elections are conducted in an open, honest and fair manner.