

EAC's response on media handling election reports under "fair and equal treatment" principle

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

In view of the concern expressed by the media recently about the requirements in the electoral guidelines that media reporting on election-related matters should abide by the "fair and equal treatment" principle, the Electoral Affairs Commission (EAC) made the following response today (October 3):

The EAC is committed to ensuring that public elections are held in an open, fair and honest manner. According to the electoral guidelines, the media are required to treat all candidates in accordance with the "fair and equal treatment" principle. The definition of candidates in the existing electoral guidelines has all along been adopting the definition of "candidate" in the Elections (Corrupt and Illegal Conduct) Ordinance, i.e. a person who stands nominated as a candidate at an election, or a person who, at any time before the close of nominations for an election, has publicly declared an intention to stand as a candidate at the election. This definition is mainly used for regulating election expenses and election advertisements.

Recently, with the increasing number of people publicly declaring their intention to stand as candidates at elections, and through different means and channels, the media may not be fully aware of all the people who have publicly declared their intentions to run at elections. The EAC understands that the media may well have operational difficulties in complying with the existing requirement in the electoral guidelines that every person who has publicly declared an intention to stand as a candidate at an election is to be reported.

According to the legislation, public consultation must be conducted prior to the revision of the electoral guidelines. Before each Ordinary/General Election, the EAC will review the existing electoral guidelines and draw up a new set of proposed guidelines for public consultation lasting 30 days. Regarding the aforesaid guidelines on media reporting, the EAC considers it opportune to consult the public during the consultation exercise on the proposed guidelines on election-related activities in respect of the 2019 District Council Ordinary Election to be conducted in the middle of next year. All are welcome to express their views then. After examining the views from all concerned, the EAC will review the relevant guidelines with a view to striking a suitable balance between the practical operation of the media while upholding the fair and open principle.

Concerning the "fair and equal treatment" principle in the coming

Legislative Council Kowloon West geographical constituency by-election, the EAC will definitely and thoroughly consider the actual difficulties faced by the media.