

# Electoral Affairs Commission responds to media enquiries

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

In response to media enquiries today (July 3) on the polling and counting procedures for the 2020 Legislative Council General Election, a spokesman for the Electoral Affairs Commission (EAC) gives the following reply:

After thorough consideration of the representations received during the public consultation period, the EAC issued on June 18 the Guidelines on Election-related Activities in respect of the Legislative Council Election, which apply to the 2020 Legislative Council General Election to be held this year and Legislative Council by-elections afterwards. For polling and counting, the Registration and Electoral Office (REO) will adopt the following arrangements:

## (1) Polling arrangements on the polling day

While maintaining the principle of fairness, the EAC is of the view that the polling arrangements should have regard to electors who have difficulties in standing for a long time in the queue to collect ballot papers due to their physical conditions (e.g. the elderly, pregnant women and persons with disability and mobility difficulties). In light of this, the following caring and elector-streaming initiatives will be adopted in the upcoming 2020 Legislative Council General Election.

Presiding Officers, as far as practicable, will arrange for the elector concerned to sit inside the polling station and wait for collecting his/her ballot paper(s) with the elector's position in the queue properly marked. When it comes to the elector's turn, the polling staff will direct him/her to collect the ballot paper(s) at the relevant issuing desk. Depending on the sizes of polling stations, the REO will prepare a certain amount of chairs for all polling stations across the territory.

On the other hand, each ballot paper issuing desk is responsible for serving electors with a designated group of alphabetical prefix in the HKID number. Electors who queue up at the same issuing desk are roughly of the same age group. When electors are queuing up outside the polling station for entry and there is any ballot paper issuing desk not serving any elector, the polling staff will hold a signboard outside the polling station to direct those electors with the corresponding alphabetical prefix of the HKID number served by that issuing desk to enter the polling station forthwith to collect their ballot papers. This arrangement does not only speed up the streaming of electors to their issuing desks so as to reduce the overall waiting time but also tackle the problem in relation to repeated queuing to obstruct other electors entering polling stations.

"Complaints were received about some people queuing up repeatedly outside polling stations on the polling day of last year's District Council Election so as to lengthen the queuing time of other electors or electors of certain age groups. Queuing up repeatedly, which will only lengthen the waiting time of all electors, is absolutely a wrongdoing. It is a criminal offence to obstruct others voting by deception. According to the sections 6 and 14 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a person, who engages in corrupt conduct at an election if the person gets another person to obstruct or prevent a third person from voting at the election by a deception, commits a criminal offence subjecting to a maximum fine of \$500,000 and imprisonment for seven years. The polling staff will notify law enforcement agencies if someone is suspected to have queued up repeatedly to obstruct others voting," the spokesman said.

"During peak voting periods, Presiding Officers will flexibly adjust the designated group of alphabetical prefixes in the HKID number served by issuing desks, and additional issuing desks will be set up if reasonably practicable, in order to speed up the handling of electors in the queue. The abovementioned measures will be implemented at all polling stations. The REO will provide the polling staff with sufficient training and detailed working guidelines."

In addition, when identifying polling stations, the REO has endeavoured to look for bigger venues and asked the venue management to make available more space as far as possible, with a view to providing a better environment for electors to queue up and minimising the need for queuing up on steep roads and stairs.

## (2) Prevent tendered votes and observe vote counting

According to the law, when issuing a ballot paper to an elector, the polling staff will draw a line in the copy of the register of electors across the name and the identity document number of the elector. It is to demonstrate that the elector has applied for a ballot paper in order to prevent tendered votes. With a view to enhancing the transparency of issuing ballot papers, the polling staff will draw the line under the observation of the elector concerned, while at the same time cover up the entries of other electors in the copy of the register to ensure the personal data of other electors are protected.

If the space of polling stations is large enough, the REO will allow more election agents and polling agents appointed by candidates (or the candidate himself/herself) entering polling stations to observe the issuing of ballot papers. The spokesman added, "The electoral staff recruited for each election come from different bureaux and departments. They often do not know each other, and may even meet for the first time during the setup of polling station. For this reason, they can also play a role of mutual monitoring at the polling and counting stations."

## (3) Recording arrangement

Besides, in this year's Legislative Council General Election, recording

facilities will be installed in each counting station and the central counting station (including the counting zone) to record the actual situation of the counting stations. The arrangement aims to maintain a safe environment for members of the public and staff inside the counting stations as well as for record purposes.

As for the suggestion to install closed-circuit television to record the actual situation of the polling stations, the spokesman reiterated that one of the important principles of the electoral system is the anonymity and confidentiality of the vote. The electoral system has been trusted by the public for a long time, therefore any important changes must have sufficient reasons to avoid weakening the public's confidence in the electoral system.

#### (4) Electronic poll registers

Funds were granted to the REO in 2018 for the implementation of electronic poll registers in the 2021 Election Committee Subsector Elections. As the plan involves various procedures, including the tendering, amending relevant legislations, system set up with repeated validation and testing. Hence, it is not feasible to implement the plan one year in advance in the Legislative Council General Election to be held this September in terms of time, legislative procedures and technical aspect.

The spokesman pointed out that the application of electronic poll registers involves personal data of more than four million electors, stringent security measures should be in place to ensure the network and data security. Professional audits and certifications from an independent third party should also be obtained, otherwise it will be difficult to earn public confidence.

The spokesman added that elections are important constitutional arrangements, and no one should interfere or influence elections with violence. The EAC is not a law enforcement agency and has no right to enforce the law. The maintenance of law and order is the responsibility of the police. If any candidate believes he/she is targeted and the fairness of the election is affected, he/she can make an election petition to query the result of the election, which will be determined by the court. The preparations for the 2020 Legislative Council General Election are in full swing. The EAC appeals to members of the public to cherish the Legislative Council General Election as a very important platform and to carry on the long-standing good election culture in Hong Kong so that the election can be conducted smoothly in a fair and orderly manner. The EAC will continue to decide on public election matters in accordance with actual and objective considerations and related legislations. It will continue to devote full efforts, acting in accordance with an open, honest and fair principle to make reasonably practicable arrangements for public elections.