

LCQ8: Participation by Hong Kong electors on Mainland in voting in Hong Kong's elections

Following is a question by the Hon Lam Chun-sing and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (March 13):

Question:

Regarding the participation by Hong Kong electors who are on the Mainland in voting in Hong Kong's elections, will the Government inform this Council:

(1) of the following information in respect of the various Near Boundary Polling Stations (NBPSs) set up for the 2023 District Council Ordinary Election (the Election): (i) the number of electors allocated to such NBPSs and (ii) the actual number of voters, with a breakdown by polling station (i.e. (a) Covered Playground and (b) Hall of Hong Kong Taoist Association Tang Hin Memorial Secondary School, and (c) Covered Playground and (d) Hall of Tung Wah Group of Hospitals Kap Yan Directors' College) (set out in Table 1);

Table 1

Polling station	(i)	(ii)
(a)		
(b)		
(c)		
(d)		

(2) of the voter turnout at each of the NBPSs mentioned in (1) during different time slots of the Election (set out in Table 2);

Table 2

Time slot (hourly)	Voter turnout			
8:30 am to 9:30 am	(a)	(b)	(c)	(d)
...				
11:30 pm to 12:00 midnight				

(3) whether it has received on the polling day of the Election any cases in

which electors have erroneously gone to NBPSs not allocated to them or the polling stations in Hong Kong originally allocated to them to cast votes; if so, of the number of such cases and the details;

(4) given that the Government indicated in reply to a question raised by a Member of this Council on January 11 last year that it would conduct a more specific study on the implementation of electronic voting, of the current progress and details of the relevant work;

(5) whether it has studied the introduction of more measures to facilitate the participation by Hong Kong electors who are on the Mainland in voting in Hong Kong's elections (including the progress of the study on setting up polling stations on the Mainland), and engaged in regular communications and exchanges of views with stakeholders such as associations of Hong Kong people on the Mainland and related concern groups on the relevant issues; if so, of the details; if not, the reasons for that; and

(6) given that according to the Guidelines on Election-related Activities in respect of the District Council Election, which were updated in September last year, if a Hong Kong permanent resident has left Hong Kong to reside in another place without maintaining connections with Hong Kong or no longer having a principal or only residence in Hong Kong, then the person no longer meets the statutory eligibility requirements for registration, but there are views that the aforesaid measure may result in some Hong Kong people on the Mainland being disqualified from being electors on grounds that they have been absent from Hong Kong for a long period of time without habitual residences, whether the authorities will study relaxing the requirement of "ordinarily residing in Hong Kong" for electors, so as to safeguard the right to vote of Hong Kong people who are on the Mainland; if so, of the details; if not, the reasons for that?

Reply:

President,

(1) The numbers of (i) registered voters; and (ii) voter turnout in the Near Boundary Polling Stations (NBPS) are as follows:

NBPS	(i) registered voters	(ii) voter turnout
Hong Kong Taoist Association Tang Hin Memorial Secondary School (HKTATHMSS)		
Covered playground (NB01)	1 330	952
Hall (NB02)	3 449	2 640
Tung Wah Group of Hospitals Kap Yan Directors' College (TWGHKYDC)		
Covered playground (NB03)	4 211	3 284
Hall (NB04)	3 986	3 115

Total	12 976	9 991
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(2) The numbers of voter turnout in different time periods in the NBPS are as follows:

Period	NBPS			
	HKTATHMSS		TWGHKYDC	
	Covered playground (NB01)	Hall (NB02)	Covered playground (NB03)	Hall (NB04)
08:30-09:30	121	401	445	450
09:30-10:30	196	514	596	575
10:30-11:30	226	554	699	876
11:30-12:30	136	386	421	349
12:30-13:30	77	253	299	276
13:30-14:30	62	172	222	167
14:30-15:30	50	126	120	145
15:30-16:30	23	90	154	93
16:30-17:30	26	59	99	76
17:30-18:30	9	38	107	33
18:30-19:30	9	27	67	37
19:30-24:00	17	20	55	38
Total	952	2 640	3 284	3 115

(3) During the polling hours, some electors who had registered to vote at the NBPS requested to vote at their originally assigned polling stations due to change in itinerary. The Registration and Electoral Office (REO) exercised discretion and arranged for them to vote at their original polling stations. There were a total of 630 such cases.

There were also individual cases of electors who mistakenly believed that they had registered to vote at the NBPS. Nonetheless, after verification, it was confirmed that NBPS did not have their registration. As the Voter Register in the NBPS did not contain their particulars, the REO could not arrange on the spot for them to vote at the NBPS, and hence appealed to them to return to their original polling stations to cast their votes. These were the isolated cases and the REO did not maintain the relevant statistics.

(4) In recent years, the Government has been actively exploring the possibility of adopting electronic means in various procedural steps of elections. Nonetheless, while enhancing efficiency and convenience of elections, it is important to maintain the autonomy and secrecy of the voting process and to ensure that it is conducted in a safe and orderly manner that commands trust of the public. The REO will continue to carefully study the feasibility of electronic voting.

(5) The Government has all along emphasised that the proposal to set up polling stations in the Mainland involves a number of legal and operational issues as well as co-ordination with the relevant Mainland authorities. Careful consideration is required to ensure the election can be conducted in a fair, just, clean, safe and orderly manner under such a setup. In view of the substantial number of registered electors now working and living in the Mainland, the Government has been making special arrangements to facilitate them to exercise their right to vote, such as setting up polling stations at the boundary control points for the 2021 Legislative Council General Election and the NBPS for the 2023 District Councils Ordinary Election. In the future, the Government will continue to actively explore appropriate arrangements to facilitate electors in the Mainland to cast their votes.

(6) The requirement for electors to be "ordinarily residing in Hong Kong" is mainly to ensure that electors casting their votes have a connection with the Geographical Constituencies to which they belong. This requirement has been clearly stipulated for the first Legislative Council General Election and the first District Council Ordinary Election since the establishment of the Hong Kong Special Administrative Region. Generally speaking, if an elector is only temporarily residing and living in the Mainland, and still maintains a certain degree of connection with Hong Kong and is able to provide a principal or sole residential address, his/her electoral status will not be affected.