

# Permission for group and multi-household gatherings in relation to the Chief Executive Election

The Sixth Term Chief Executive Election (CEE) will be held on May 8, and the nomination period would run from April 3 to 16.

Pursuant to sections 3(1)(a) and 8A(1) of the Prevention and Control of Disease (Prohibition on Gathering) Regulation (Cap. 599G), except for exempted gatherings, a group gathering of more than two persons at a public place other than the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) premises and a multi-household gathering of persons ordinarily living in more than two households at any private premises are prohibited from taking place during the specified period. On March 23, 2022, the Secretary for Food and Health has designated March 24 to April 6, 2022 as the specified period. The Chief Executive has also announced publicly that the restrictions would be further extended till April 20.

Pursuant to sections 5(1)(b) and 8D(1)(b) of Cap. 599G, the Chief Secretary for Administration (CS) may permit any group gathering/multi-household gathering if he is satisfied that the gathering, because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong. Having considered the exceptionality of the CEE, the CS has exercised his power to permit a "CEE candidate" to conduct the following group and/or multi-household gatherings (collectively "gatherings" hereafter) during the period from April 3 to May 8:

**(a) from April 3 to April 23 (or the day on which Candidate Eligibility Review Committee (CERC) determines the validity of CEE candidate(s), whichever is earlier):** CEE candidate(s) (i.e. any person who has publicly declared an intention to stand as a candidate at the CEE to be held on May 8) are permitted to conduct election-related gatherings with members of the Election Committee (EC). However, a gathering will not be regarded as being permitted if no member of the EC attends; and

**(b) from April 23 (or the day on which CERC determines the validity of candidate(s), whichever is earlier) to May 8:** CEE candidate(s) (only those who are determined to be validly nominated by the CERC) are permitted to conduct election-related gatherings with the public.

This permission only applies to indoor group gatherings which take place in a public place governed under Cap. 599G and does not cover outdoor group gatherings.

Sections 5(2) and 8D(2) of Cap. 599G also provide that the CS may, if considered necessary, attach conditions to a permission. In this relation, the CS has imposed conditions (see Annex) to the gatherings with a view to

reducing the risks of spreading the epidemic. The conditions include: participants should have their temperature screened before entrance, participants must wear masks at all times during the events, no food and beverage should be provided and the gatherings should strictly adhere to the applicable directions in Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) and Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599L), etc.

The CEE is an election returning the top official of the Hong Kong Special Administrative Region (HKSAR). The exceptionality of the situation is beyond doubt. Under the improved electoral system, a CEE candidate would require to obtain at least 188 subscribers, with not less than 15 members from each of the five sectors, to be validly nominated in the election. Allowing the prospective candidate(s) to meet with EC members would enable those members to have sufficient understanding on the candidate(s) when making nominations and voting, and make decisions that are in line with the public interest. On the other hand, having considered the important constitutional status of the CE, and that the upcoming election is the first CEE after the electoral system is improved, there is a need for the candidate to conduct campaigning activities to promote his/her platform(s) and belief(s) to Hong Kong society (including all Hong Kong citizens and EC members). The whole campaign process should showcase that the new electoral is broadly representative, suited to the actual situation of the HKSAR, and represents the overall interest of society. Enabling EC members and Hong Kong citizens to better understand the policy objectives of the CEE candidate(s) will also lay a solid foundation for future governance. As such, the permission would serve the public interest of Hong Kong and is necessary.