

Registration and Electoral Office responds to enquiries on polling, counting and voter turnout

In response to media enquiries on online rumours about polling, counting and voter turnout for the 2019 District Council Ordinary Election (DCOE), the Registration and Electoral Office (REO) reiterates that public elections in Hong Kong have been held in an open, fair and honest manner, and gives the following reply today (November 26):

Arrangements on the issue of ballot papers

On arrival at the polling station, electors must show to the polling staff at the ballot paper issuing desk the original of their Hong Kong identity card or other specified alternative documents. The polling staff on duty will check the elector's name and identity card number on the Hong Kong identity card against the entries on the copy of register of electors. Ballot papers will be issued after re-checking of the information by another polling staff. The relevant procedures are stringent.

Arrangements on counting of ballot papers

Counting of votes is conducted in an open and transparent environment, under public scrutiny.

Once the poll closes, candidates, their election agents and polling agents may stay in the polling station to observe the process of locking of ballot boxes, and the conversion of polling stations into counting stations. They can observe the entire counting process at the counting station, which includes the breaking of seals on the ballot boxes, the sorting, separation and counting of ballot papers, the counting of votes recorded on the valid ballot papers and the determination by Presiding Officers (PROs) on the validity of questionable ballot papers. They may also copy what is recorded on the ballot paper account if needed. Other than that, members of the public and reporters are also able to watch the counting process at designated areas inside the counting stations.

Ballot paper below will be classified as questionable ballot paper during the count:

1. it has any writing or mark by which the elector can possibly be identified;
2. it is not marked in accordance with section 58(2) of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation, i.e. not marked by affixing the chop to give a single tick in the circle opposite the name of the candidate of the elector's choice on the ballot paper, and the elector's intention is unclear;

3. it is substantially mutilated;
4. it is void for uncertainty.

According to Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) (EAC (EP) (DC) Reg) section 79(2), the validity of all questionable ballot papers shall be decided by the PRO. The PRO will invite the candidates and their agents present to participate in the determination process of questionable ballot paper. A candidate, an election agent or a counting agent, may inspect and make representations concerning the determination of the validity of any questionable ballot papers. The PRO will then consider their representations and make his/her final decision on the validity of the questionable ballot paper according section 80 of the EAC (EP) (DC) Reg.

According to section 80A and 80B of the EAC (EP) (DC) Reg, PRO may decide whether a re-count of the votes of the counting stations is necessary. If a candidate or his/her agent requests to re-count, such a request shall be made to the PRO, and he/she will decide whether the request should be acceded to. If he/she decides that such a re-count is reasonable in the circumstances, a re-count will be conducted.

If the candidates and the electors of the relevant constituency are not satisfied with the decisions made by PRO on questionable ballot papers and re-count, they can make election petitions to query the result of the election, which will be determined by the court. The court will determine whether a person is duly elected based on the actual situation.

There are 615 ordinary polling stations in the DCOE, including some small polling stations (polling stations with less than 200 electors). In addition, dedicated polling stations for registered electors who are imprisoned or held in custody by the law enforcement agencies on polling day, and special polling stations (accessible to electors who are wheelchair users or have difficulty in walking) are set up in the election.

The votes cast at the small polling stations and special polling stations will not be counted therein. Under police escort, polling staff will deliver the locked and sealed ballot boxes and other relevant electoral documents to the respective main counting stations for count. In addition, votes cast at dedicated polling stations will not be counted therein. The ballot boxes of the dedicated polling stations, which may contain ballot papers of electors from different constituencies all over Hong Kong, will be first transported to the ballot paper sorting stations for sorting. After sorting of ballot papers according to the relevant constituencies, the ballot papers will then be delivered to the respective main counting station for mixing with other ballot papers cast therein before counting to protect the secrecy of votes.

Voter turnout

There are online rumours that the voter turnout in an individual

constituency is greater than the number of registered electors of the constituency, and the number of invalid ballot papers is about 1.6 million. The Registration and Electoral Office stresses that the rumours are incorrect. Records show that total number of registered electors in 2019 is 4,132,977. A total of 2,943,842 registered electors had cast their votes in the election while the total number of votes received by all candidates is 2,931,745. The counting results of each constituency were posted at the counting stations, members of the public can also refer to the REO's press release¹⁴ www.elections.gov.hk/dc2019/chi/press.html?1574743553101¹⁴ and the relevant figures listed on the election website (www.elections.gov.hk).