

# Public consultation on Legislative Council Election proposed guidelines commences (with photo/video)

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

The Electoral Affairs Commission (EAC) today (March 9) released the proposed guidelines on election-related activities in respect of the Legislative Council Election for public consultation. The consultation will last for 30 days until April 7.

"The 2020 Legislative Council General Election will be held in the third quarter of this year. Before each general election, the EAC will revise and update the guidelines for use at the forthcoming general election and the subsequent by-elections," the Commission Chairman, Mr Justice Barnabas Fung Wah, said at a press conference.

"The proposed guidelines have two aspects, namely, to explain in simple language the relevant provisions under the electoral legislation and to promulgate a code of conduct in election-related activities based on the fair and equal treatment principle, to ensure that the elections are conducted in an honest and fair manner," Mr Justice Fung said.

"The proposed guidelines are prepared on the basis of the existing guidelines in respect of Legislative Council Election with revisions to reflect the relevant legislative amendments and proposed electoral arrangements in light of experience in past elections. Certain parts of the guidelines are also further elaborated for better understanding of the principles."

Having taken into account the experience gained from the 2019 District Council Ordinary Election (DCOE) last year, the EAC has put forth recommendations on electoral arrangements in the proposed guidelines to seek opinions of the public during the consultation period.

## (I) Arrangements for queuing at polling stations

"On polling day of 2019 DCOE, after being informed of long queues at some polling stations, the EAC immediately instructed all presiding officers (PROs) to adopt flexible arrangements in accordance with the principle of equality. For instance, where electors who have difficulties in standing for a long time, the PRO might mark their position in the queue and allow them to sit while waiting for their turn of collecting the ballot paper from the issuing desk," Mr Justice Fung said.

"On and after the polling day, there were suggestions that special arrangements should be given to electors of a certain age group or having

difficulties in standing for a long time to vote, so as to shorten their queuing time, or even to have priority in entering the polling station to vote. We welcome views from the public to the EAC on queuing arrangements at polling stations, such as whether and how to make special arrangements to facilitate electors with special needs, such as senior citizens aged 70 or above, pregnant women and physically handicapped persons with mobility difficulties, or even to accord them with priority to vote."

(II) Checking of personal entry on the copy of register by electors

To safeguard the secrecy of ballot, information on the copy of register will not be disclosed to electors when they collect ballot papers. For the sake of increasing transparency, the EAC suggests that electors may request to check if a line has been drawn on his/her entry on the copy of register thereat in such a way without compromising the secrecy of ballot.

(III) Order at public area of counting stations

On polling day of 2019 DCOE, disruptive acts took place in some counting stations where there were members of the public arguing, shouting, and even insulting electoral staff and interfering with the counting process. The EAC emphasised that, in accordance with the law, PROs are required to determine the validity of questionable ballot papers and PRO's decision on any ballot paper is final. If candidates/electors for the relevant constituency are not satisfied with the decision, they may question the election result by an election petition. Any attempt to exert pressure on the PROs is futile and this will only delay the announcement of election results.

"We suggest specifying the number of public entrants to the counting station having regard to the capacity of each counting station, and requesting public entrants to register their names and identity document numbers. In addition, the EAC will explore the suggestion of video-recording the entire counting process in the counting station for the sake of maintaining order as well as for evidence, if necessary, as this is often done by the media and the public," Mr Justice Fung said.

(IV) Enhancing the public's knowledge on the polling arrangements

"In past elections, samples for determination of validity of questionable ballot papers are placed at counting zone for reference of the candidates, election agents and counting agents. We will also consider displaying in the public area of the counting station the same set of samples, in order to enable the public to have a better understanding and to allay their doubts," Mr Justice Fung said.

In addition, the proposed guidelines also remind those who intend to run for the Legislative Council Election that under the Elections (Corrupt and Illegal Conduct) Ordinance, the term "candidate" is broadly defined and it includes a person who has publicly declared an intention to stand for an election before the close of nominations regardless of whether he/she has submitted his/her nomination form. Whether a person has publicly declared an

intention to stand for election is to be considered as a matter of substance and not form, based on matters including the intention to stand for the Legislative Council election, whether the intention to stand for election is made public and/or whether the acts constitute part of the machinery of the election. Therefore, prospective candidates must exercise due care to avoid incurring election expenses inadvertently with attending legal responsibilities.

The proposed guidelines can be downloaded from the Commission website ([www.eac.hk](http://www.eac.hk)). They are also available for viewing at the Registration and Electoral Office and the Home Affairs Enquiry Centres of District Offices.

Due to public health consideration, in order to reduce the risk of the spread of the novel coronavirus in the community from public gathering, there will be no public forum for this consultation. Members of the public are welcome to express their views on the proposed guidelines through written submissions to the EAC by post at 10/F, Harbour Centre, 25 Harbour Road, Wan Chai, by fax (2511 1682) or by email ([eaceng@eac.hk](mailto:eaceng@eac.hk)) not later than April 7. Late submissions will not be considered.

For enquiries, please call 2891 1001.



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## [Special traffic arrangements in Kowloon West](#)

Police will implement special traffic arrangements in Kowloon West to facilitate the Customs and Excise Service funeral with full honours for the late Senior Customs Officer, Mr Lai Chi-hang, to be held on March 11 (Wednesday).

Traffic control measures will be implemented on Cheong Hang Lane and Cheong Hang Road from 8am to noon on March 11. Traffic along Lo Lung Hang Street must turn right to Winslow Street.

The metered parking spaces on Lo Lung Hang Street, Winslow Street, Cheong Hang Road, and On Ching Road will be suspended from 8pm on March 10 to noon on the following day.

People going to the funeral by vehicles should alight at Winslow Street or Lo Lung Hang Street and proceed to the Universal Funeral Parlour.

Subject to traffic condition, the cortege can park on Cheong Hang Road. Other vehicles with authorisation can park on the west side of Cheong Hang Road.

Actual implementation of the traffic arrangements will be made depending on traffic and crowd conditions in the area. Motorists are advised to exercise tolerance and patience and take heed of instructions of the Police on site.

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## **Government releases Multi-functional Smart Lampposts Technical Advisory Ad Hoc Committee Report**

The Government released today (March 9) the Committee Report submitted by the Multi-functional Smart Lampposts Technical Advisory Ad Hoc Committee to the Office of the Government Chief Information Officer. The Committee unanimously agreed that the Government should continue to take forward the pilot scheme to install multi-functional smart lampposts as smart lampposts are key digital infrastructure for promoting smart city development and facilitating 5G mobile network implementation in Hong Kong.

After reviewing comprehensively the design and operation of smart lampposts as well as the functions and technologies employed for applications, the Committee supported the Government to install the following devices, which do not have privacy concerns, in the smart lampposts:

- LED lighting;
- Meteorological sensors;
- Air quality sensors;
- Thermal detectors; and
- Radio-frequency identification tags, Geo-QR codes and Bluetooth beacons (to identify the geo-location of a lamppost).

While the Committee noted that the Government has strictly complied with the requirements of Personal Data (Privacy) Ordinance, it recommended the following measures to address public concern over potential privacy issues on

some of the applications:

- Use more privacy-friendly technologies as substitutes for cameras and Bluetooth detectors;
- Set up a rigorous, credible and transparent governance mechanism to review and approve any new smart lamppost application prior to installation, and make the decision fully transparent to the public; and
- Engage independent third-party professionals to conduct regular security and privacy review of technologies, functions, applications and devices of smart lampposts in accordance with relevant laws and international standards.

The Government Chief Information Officer and Convenor of the Committee, Mr Victor Lam, expressed gratitude for the great effort of the Committee and said that the Government would refine the applications and implementation arrangements of the pilot scheme in accordance with the Committee's recommendations.

"We will seek the relevant District Councils' support for continuing with the implementation work," Mr Lam said.

Set up in August 2019, the Committee is tasked to strengthen data security and personal privacy protection and instil public confidence in smart lampposts. The Committee has provided expert advice and recommendations on matters including the use of technologies and devices in individual applications, management of data, physical design of lampposts, facilitation for 5G implementation and governance arrangements as well as promotion and public engagement.

The Committee held its seventh meeting through video conferencing on February 28 and endorsed the Committee Report by circulation afterwards. The Report is available on the Multi-functional Smart Lampposts thematic webpage: [www.ogcio.gov.hk/en/our\\_work/strategies/initiatives/smart\\_lampposts/](http://www.ogcio.gov.hk/en/our_work/strategies/initiatives/smart_lampposts/).

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## **Application period for Batch VI of Revitalising Historic Buildings Through Partnership Scheme extended**

In view of the latest developments of COVID-19 infection, the Development Bureau announced today (March 9) that the deadline for submission of applications under Batch VI of the Revitalising Historic Buildings Through Partnership Scheme (Revitalisation Scheme) will be extended for four months

from noon on April 3 to noon on August 3, so that interested applicants will have sufficient time to prepare their submissions.

Four historic buildings are included under Batch VI of the Revitalisation Scheme, namely the Tai Tam Tuk Raw Water Pumping Station Staff Quarters Compound; Homi Villa in Ting Kau, Tsuen Wan; King Yin Lei in Wan Chai; and Fong Yuen Study Hall in Ma Wan, Tsuen Wan.

For enquiries regarding the above arrangements, please email the Revitalisation Scheme Secretariat at [rhb\\_enquiry@devb.gov.hk](mailto:rhb_enquiry@devb.gov.hk) or call 2906 1560.

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## **MD announcement**

Attention duty announcers, radio and TV stations:

Please broadcast the following as soon as possible and repeat it at suitable intervals:

The Marine Department today (March 9) reminded masters, coxswains and persons-in-charge of vessels navigating in Hong Kong waters to proceed at a safe speed and exercise extreme caution because restricted visibility of less than 2 nautical miles has been reported.

Appropriate sound signals shall be made when underway or at anchor. All vessels must comply with the International Regulations for Preventing Collision at Sea.

Also, when radar is used without the benefit of adequate plotting facilities, the information obtained from the equipment is rather limited and should be construed accordingly.

Visibility reports are broadcast by the Vessel Traffic Centre (VTC) on VHF channels 02, 12, 14, 63 and 67.

In the event of an accident, a report shall be made immediately to the VTC at Tel: 2233 7801.