

Guidelines for the District Services and Community Care Teams During Public Elections

- i. This note sets out the guidelines for the District Services and Community Care Teams (“Care Teams”) and relevant persons (i.e. the operating organisations and members of Care Teams, and non-Care Team members assisting in the work/activities of Care Teams) to comply with during public elections (i.e. the Chief Executive Election, the Election Committee Subsector Elections, the Legislative Council Elections, the District Council Elections and the Rural Representative Elections). The operating organisations of Care Teams must ensure that all relevant persons understand and comply with the Guidelines.
- ii. **Care Teams and relevant persons must strictly comply with the Guidelines, otherwise the Care Teams concerned may be regarded as in breach of the Care Teams funding agreement.** Relevant persons should also read the relevant legislation on elections and the guidelines on election-related activities in respect of the relevant elections formulated by the Electoral Affairs Commission (“EAC”).

<i>A. Basic Principles</i>	
1.	Care Teams are commissioned by the Government to care for the public. Care Teams must remain neutral in public elections and avoid causing misunderstanding.
2.	In this connection, Care Teams and relevant persons must not stand for public elections ¹ , support any candidates or participate in any election-related activities in the name of Care Teams or relevant persons, or in their capacities as office bearers of Care Teams (such as the captain of a sub-district Care Team).
3.	Relevant persons standing for public elections, supporting certain candidates or participating in election-related activities in their personal capacities or other capacities should exercise care to avoid causing misunderstanding that they are acting in the name of Care Teams or relevant persons, or in their capacities as office bearers of Care Teams.
4.	The resources of Care Teams (whether funded by the Government or not) must not be used for election-related activities at any time.
5.	The specific requirements formulated on the above basic principles are set out below.

¹ Under section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a “candidate” includes a person who has publicly declared an intention to stand for an election at any time before the close of nominations for the election, whether or not he or she has submitted a nomination form.

<i>B. Activities of Care Teams during Public Elections</i>	
1.	During an election period (i.e. the period between the day any person has publicly declared an intention to stand for a public election or the day the nomination period commences (whichever is the earlier) and the end of the polling day), Care Teams should exercise due care and remain neutral to avoid causing misunderstanding that they are or are not in support of certain candidates.
2.	Care Teams and relevant persons should not stand for public elections, support any candidates or participate in any election-related activities in the name of Care Teams or relevant persons, or in their capacities as office holders of Care Teams. Election-related activities include electioneering activities of candidates, election meetings, exhibition or distribution of election advertisement ² , publicity and canvassing activities.
3.	Services provided/activities organised by Care Teams must not involve any election-related activities. The resources of Care Teams (whether funded by the Government or not) must not be used for election-related activities at any time.
4.	Relevant persons should not conduct any canvassing activities at the residences/offices of electors or venues of activities visited by electors; or release, exhibit or distribute any election advertisement in the common areas of buildings frequently visited by electors while carrying out Care Team activities.
5.	Relevant persons should not accept invitations from individuals or organisations to attend any election-related activities of a candidate in the name of Care Teams or in their capacities as office bearers of Care Teams. They should also avoid having photographs taken with candidates since such photographs, if published, may cause others to think that Care Teams support the candidates.

<i>C. Relevant Persons Standing for Elections/Participating in Election-related Activities in their Personal Capacities</i>
1. Although relevant persons can stand for elections, support certain candidates or participate in election-related activities (including acting as the agent of a candidate) in their personal capacities or capacities unrelated to Care Teams, they should exercise due care to avoid causing misunderstanding that they are acting in the name of Care Teams or in their capacities as office bearers of Care Teams.

² Under section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), “election advertisement” in relation to an election, means any publicity published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election: (a) a publicly exhibited notice; (b) a notice delivered by hand or electronic transmission; (c) a public announcement made by radio or television or by video or cinematographic film; or (d) any other form of publication.

2.	Relevant persons standing for elections or acting as agents of candidates in public elections in their personal capacities or other capacities must notify the operating organisations in writing in advance . Those who are sub-district Care Team members (including the captain or vice-captain) , in addition to notifying the operating organisations in advance, must notify the District Offices concerned in writing in advance , and immediately stop participating in any Care Teams-related work or using any resources of Care Teams (whether funded by the Government or not) until the end of the polling day.
3.	In response to the temporary manpower shortage during an election period, the operating organisations of Care Teams should redeploy sufficient and appropriate manpower to discharge Care Teams duties to ensure timely delivery of service.
4.	If relevant persons support certain candidates or participate in election-related activities in their personal capacities or other capacities , the activities should not have any conflict of interest with their duties in the Care Teams or involve the use of any resources of Care Teams (whether funded by the Government or not). They should not wear any Care Team identifications or volunteer badges, or any uniform of Care Teams in electioneering activities.
5.	Upon the end of the election, relevant persons must not thank electors during any services provided or activities organised by Care Teams as this is against the principle of neutrality of Care Teams, and the expenses incurred may be counted as election expenses.
6.	Relevant persons intending to stand for public elections, support certain candidates or participate in election-related activities in their personal capacities or other capacities must uphold the principles of fairness and impartiality, and strictly adhere to the relevant legislation on elections and the guidelines on election-related activities formulated by EAC. The legislation, guidelines and information in relation to public elections are updated from time to time. For details, please visit the EAC website (http://www.eac.hk), the Registration and Electoral Office website (http://www.reo.gov.hk) and other relevant websites designated for elections. Complaints regarding any breach of the election legislation or guidelines on election-related activities would be referred to EAC and/or relevant government departments/institutions.