

簡介2023年鄉郊一般選舉的安排、
選舉法例及選舉活動指引
Briefing on the arrangements for the
2023 Rural Ordinary Election,
Electoral Legislation and the Guidelines on Election-related Activities

選舉管理委員會主席
陸啟康法官

1

Mr Justice David Lok
Chairman, Electoral Affairs Commission
23/11/2022



選舉日期

Dates of Election

鄉郊代表選舉類別 Type of Rural Representative Election	投票日 Polling Day
原居民代表選舉及居民代表選舉 Indigenous Inhabitant Representative and Resident Representative Elections	2023年1月8日 8 January 2023
街坊代表選舉 Kaifong Representative Election	2023年1月15日 15 January 2023



鄉郊代表數目

No. of Rural Representatives

鄉郊地區數目 No. of Rural Area		代表數目 No. of Representatives	
鄉村 Villages	709	原居民代表 Indigenous Inhabitant Representative	789
		居民代表 Resident Representatives	695
墟鎮 Market Towns	2	長洲墟鎮街坊代表 Kaifong Representative (Cheung Chau)	39
		坪洲墟鎮街坊代表 Kaifong Representative (Peng Chau)	17



提名

Nomination

提名期：11月4日至11月17日

Nomination Period: 4 to 17 November

接獲的提名表格數目 No. of Nomination Forms Received	1,737
需進行競逐選舉的鄉村數目 No. of Contested Villages	182
需進行競逐選舉的墟鎮數目 No. of Contested Market Towns	2



維護公開、公平和誠實的選舉 (1)

Safeguarding Openness, Fairness and Honesty of Election (1)

選舉開支及選舉捐贈

Election expenses and election donations

- 為確保公平競爭，法例為選舉開支定出最高限額
Legally prescribed maximum limit of election expenses is to ensure that candidates do compete on level playing field
- 「選舉開支」指為促使或阻礙某候選人當選而招致或將招致的開支
“Election expenses” refer to expenses incurred or to be incurred for purpose of promoting or prejudicing the election of a candidate
- 候選人的選舉開支如超逾規定的限額，屬非法行為
It is an illegal conduct if election expenses incurred by a candidate exceed prescribed limit



維護公開、公平和誠實的選舉 (2) Safeguarding Openness, Fairness and Honesty of Election (2)

➤ 選舉開支及選舉捐贈

Election expenses and election donations

- 只有候選人及其授權的選舉開支代理人才可招致選舉開支，否則屬非法行為

Only candidates and their election expense agents are permitted to incur election expenses; otherwise it is an illegal conduct

- 所有候選人須在選舉結束後的指定限期前提交選舉申報書，申報招致的選舉開支及收取的選舉捐贈

All candidates must submit Election Return by statutory deadline after election to declare election expenses incurred and election donations received



維護公開、公平和誠實的選舉 (3) Safeguarding Openness, Fairness and Honesty of Election (3)

- ▶ 為候選人平均分配公共資源
Fair allocation of public resources to candidates
 - 在同一鄉郊地區競逐的候選人，會在政府土地上獲分配相同數目的指定展示選舉廣告位置
Candidates contesting in the same Rural Area shall be allocated the same number of designated spots for displaying election advertisements on government land



維護公開、公平和誠實的選舉 (4) Safeguarding Openness, Fairness and Honesty of Election(4)

- ▶ 候選人如質疑選舉結果，可依法律程序提出選舉呈請
Candidate may lodge an election petition to question the result of the election according to legal proceeding
- ▶ 選舉管理委員會（“選管會”）會嚴肅檢視選舉相關投訴有否違反公平及平等的原則
The Electoral Affairs Commission (“EAC”), while handling complaints, solemnly probes into cases of possible breaches of the principle of fairness and equality
- ▶ 就任何刑事、非法或舞弊行為，可直接向執法機關投訴
Complaints on criminal, illegal or corrupt conducts may be filed direct to relevant law enforcement agencies



選舉法例及選舉活動指引

Electoral Legislations and Guidelines

《鄉郊代表選舉條例》
(第576章)
Rural Representative
Election Ordinance
(Cap 576)

《選舉程序
(鄉郊代表選舉)規例》
(第541L章)
Electoral Procedure
(Rural Representative
Election) Regulation
(Cap 541L)

《選舉(舞弊及非法行為)條例》
(第554章)
Elections (Corrupt and Illegal
Conduct) Ordinance
(Cap 554)

《選舉開支最高限額
(鄉郊代表選舉)規例》
(第554B章)
Maximum Amount of Election
Expenses (Rural Representative
Election) Regulation
(Cap 554B)

《鄉郊代表(選舉呈請)規則》
(第576B章)
Rural Representative (Election
Petition) Rules
(Cap 576B)

《鄉郊代表選舉活動指引》
(“《選舉活動指引》”)
Guidelines on Election-related
Activities in respect of the Rural
Representative Election
(“the Guidelines on Election-
related Activities”)



委任代理人 (1)

Appointment of Agents (1)

每位候選人可委任4類代理人協助處理選舉事宜：

Each candidate may appoint four types of agents to handle election-related matters:

	代理人種類 Type of Agent	數目 Number
(1)	選舉代理人 Election Agent	1名 One
(2)	選舉開支代理人 Election Expense Agent	不限數目 Any number



委任代理人 (2)

Appointment of Agents (2)

	代理人種類 Type of Agent	數目 Number
(3)	監察投票代理人 Polling Agent	
	<ul style="list-style-type: none"> 每個一般投票站及位於美田社區會堂的專用投票站 Each ordinary polling station and dedicated polling station situated in Mei Tin Community Hall 	不超過2名 Not more than two
	<ul style="list-style-type: none"> 每個非高度設防監獄的專用投票站 Each dedicated polling station not situated in a maximum security prison 	不超過1名 Not more than one
	<ul style="list-style-type: none"> 因應2019新冠病毒病疫情而設的特別投票站 Special polling station in view of COVID-19 epidemic 	不超過1名 Not more than one
	<ul style="list-style-type: none"> 高度設防監獄的專用投票站 Dedicated polling station situated in a maximum security prison 	候選人 candidate
(4)	監察點票代理人 Counting Agent	1名 One

委任代理人 (3)

Appointment of Agents (3)

- 代理人的委任或撤銷委任，須在選舉主任、選票分流站助理選舉主任或票站主任接獲有關通知後方會生效

Appointment or Revocation of appointment of agent is not effective until the notice of appointment or notice of revocation is received by Returning Officer, Assistant Returning Officer (ballot paper sorting station) or the Presiding officer



委任代理人 (4)

Appointment of Agents (4)

委任 Appointment of	委任通知書遞交限期 Deadline for Delivery of Notice of Appointment	交付予 Delivered to
監察投票代理人 Polling Agent	投票日前 <u>7</u> 天或之前 At least <u>7 days</u> before polling day	有關選舉主任 Relevant Returning Officer
監察點票代理人 Counting Agent	投票日前 <u>3</u> 天或之前 At least <u>3 days</u> before polling day	有關選舉主任 Relevant Returning Officer

委任代理人 (5)

Appointment of Agents (5)

若前述限期已過 After the above deadline

委任 Appointment of	遞交方式 Means of Delivery	交付予 Delivered to
監察投票代理人 Polling Agent	<u>親自</u> 於投票日當天 <u>In person</u> on polling day	相關投票站的票站主任 Relevant Presiding Officer
監察點票代理人 Counting Agent	<u>親自</u> 於投票日當天 <u>In person</u> on polling day	相關點票站的主管 Officer-in-charge of counting station

委任代理人 (6) Appointment of Agents (6)

- ➔ 有關代理人的委任及需注意事項的詳情，請參閱《選舉活動指引》第六章

For details on appointment of agents and important points to note, please refer to Chapter 6 of the Guidelines on Election-related Activities



核對選票印稿

Checking of Ballot Paper Printing Proof

- ▶ 候選人或其授權代表可於11月30日及12月1日的辦公時間內到指定地點核實選票印稿上有關候選人的資料

Candidates or their authorised representatives may, during the business hours on 30 November and 1 December, check their particulars contained in the ballot paper printing proof at specified venue



投票安排 (1)

Polling Arrangements (1)

- ▶ 需要競逐的鄉郊地區會設立一般投票站
Ordinary polling station will be set up for Rural Area with contested election
- ▶ 在懲教院所設立專用投票站，供遭懲教署囚禁或受羈押的選民投票
Dedicated polling station (“DPS”) will be set up in the penal institution for electors who are imprisoned or remanded by Correctional Services Department (“CSD”) to cast their votes
- ▶ 於美田社區會堂設立專用投票站，供遭執法機關(懲教署除外)在投票日羈押或拘留的選民投票
DPS will be set up in Mei Tin Community Hall for electors who are remanded or detained by law enforcement agencies (other than CSD) to cast their votes
- ▶ 投票站名單將於12月1日刊憲
List of polling stations will be gazetted on 1 December



投票安排 (2)

Polling Arrangements (2)

- 在投票日當日為正接受本地隔離或檢疫的選民設立特別投票站
Special polling station(s) will be set up for electors who are undergoing local isolation or quarantine on the polling day
- 民政事務總署稍後會將特別投票站的名單及投票時間刊憲，並會上載至鄉郊代表選舉網站，以及發信通知所有需競逐的鄉村和墟鎮的選民

The list of special polling station(s) and polling hours will be gazetted and uploaded to Rural Representative Election website. All electors of the Villages and Market Towns with contested election will be informed accordingly



投票安排 (3)

Polling Arrangements (3)

選票及投票箱

Ballot paper and ballot box

顏色 Colour	原居民代表選舉 Indigenous Inhabitant Representative Election	居民代表選舉 Resident Representative Election	街坊代表選舉 Kaifong Representative Election
選票 Ballot Paper	紅色 Red	白色 White	橙色 Orange
投票箱 Ballot Box	紅色 Red	白色 White	藍色 Blue



投票安排 (4)

Polling Arrangements (4)

填劃選票

Marking of Ballot Paper

- 選民必須使用投票站提供的印章，在所選擇的候選人姓名相對的每個圓圈內蓋上單一個「✓」號，摺合選票，之後投入投票箱

Electors must affix the chop issued by polling station to give a single '✓' in the circle(s) opposite the name(s) of the candidate(s) of their choice on the ballot paper, fold the ballot paper and put it into the ballot box



投票時間

Polling Hours

選舉類別 Type of Election 票站類別 Type of Polling Station	原居民代表選舉及 居民代表選舉 Indigenous Inhabitant Representative Election and Resident Representative Election	街坊代表選舉 Kaifong Representative Election
一般投票站 Ordinary Polling Stations	中午12時至晚上7時 12 noon to 7 p.m.	上午8時半至晚上9時半 8:30 a.m. to 9:30 p.m.
設於美田社區會堂的專用投票站 DPS situated in Mei Tin Community Hall	中午12時至晚上7時 12 noon to 7 p.m.	上午8時半至晚上9時半 8:30 a.m. to 9:30 p.m.
設於懲教院所內的專用投票站 DPS(s) situated in penal institution(s)	下午1時至下午4時 1 p.m. to 4 p.m.	下午1時至下午4時 1 p.m. to 4 p.m.



領取選票

Collecting Ballot Papers

- ➔ 為了確保劃線程序準確，投票站工作人員會在有關選民觀察下進行劃線，並同時遮蓋其他選民的記項，以確保其他選民的個人資料保密

To ensure accuracy, polling staff will conduct line-drawing under observation of the elector, while at the same time covering up entries of other electors to safeguard personal data privacy of other electors



保障投票的自主及保密性

Safeguarding Autonomy and Secrecy of Vote

- 投票是自主及保密的，任何人不得用武力、脅迫或利誘他人投選或不投選某一名候選人，任何人亦無須透露已投選或準備投選哪名候選人
Ballot is autonomous and secret. No one may use force, coercion or inducement against any person to vote or not to vote for particular candidate. No one is obliged to disclose which candidate he/she has voted for or is going to vote for

- 選民不得在投票站內使用流動電話或任何電子通訊器材，或拍照、拍影片、錄音或錄影

Electors are not allowed to use mobile telephone or any electronic communication device, or to take photographs and films or make any video or audio recording within a polling station



應對 2019 冠狀病毒病的安全措施 (1)

Safety Measures in response to COVID-19 (1)

投票站

Polling Station

- 選管會鼓勵選民進入投票站時使用「安心出行」流動應用程式及遵守「疫苗通行證」的規定。然而，選民是否使用「安心出行」及遵守「疫苗通行證」的規定，並不會影響其投票權

EAC encourages electors to use “LeaveHomeSafe” mobile application and comply with “Vaccine Pass” requirement when entering polling stations. However, whether or not “LeaveHomeSafe” mobile application is used and “Vaccine Pass” requirement is complied with will not affect electors’ voting right



應對 2019 冠狀病毒病的安全措施 (2)

Safety Measures in response to COVID-19 (2)

- 所有工作人員必須戴上口罩及其他衛生防護中心建議的防護裝備
All staff are required to wear masks and other protective equipment as advised by Centre for Health Protection
- 提供清潔用品給工作人員在有需要時為票站消毒
Staff will be provided with sanitising sundries for disinfecting polling stations when necessary
- 票站主任柜枱及發票柜枱豎立透明防護擋板，以分隔投票站工作人員及選民
Transparent partitions will be erected on Presiding Officer's desk and ballot paper issuing desks to separate staff and electors



應對 2019 冠狀病毒病的安全措施 (3)

Safety Measures in response to COVID-19 (3)

- ▶ 選民、候選人及代理人進入投票站前必須戴上自備的口罩、使用投票站提供的酒精搓手液清潔雙手及使用投票站外的電子測溫計量度體溫

Electors, candidates and agents are required to wear their own masks, clean their hands with hand sanitisers provided at polling stations and use electronic thermometer set up at the entrance to check body temperature before entry to polling stations

- ▶ 有發燒徵狀或其他感染病徵的選民須到特別劃票間投票

Electors who show sign of fever or other infection symptoms will vote at special voting compartments



應對 2019 冠狀病毒病的安全措施 (4)

Safety Measures in response to COVID-19 (4)

- ▶ 有發燒徵狀或其他感染病徵的候選人及代理人不得進入投票站；
候選人可委任其他代理人前往觀察投票
Candidates and agents who show sign of fever or other infection symptoms are not allowed to enter polling stations. Candidates may appoint other agents to observe the poll
- ▶ 工作人員會提醒選民在投票站應保持適當社交距離
Staff will remind electors to maintain appropriate social distance in polling stations



應對 2019 冠狀病毒病的安全措施 (5)

Safety Measures in response to COVID-19 (5)

點票站

Counting Station

- 除獲豁免人士外，所有進入點票站的人士必須使用「安心出行」流動應用程式掃描點票站的二維碼，以及符合「疫苗通行證」的要求接種相應劑量的疫苗

All persons entering counting stations, except for exempted persons, must use “LeaveHomeSafe” mobile application to scan counting station QR code, and comply with “Vaccine Pass” requirement by receiving corresponding dosage of vaccine

- 獲豁免人士則須作登記

The exempted persons are required to do registration



應對 2019 冠狀病毒病的安全措施 (6)

Safety Measures in response to COVID-19 (6)

- 所有人士必須戴上自備的口罩、使用點票站入口的酒精搓手液清潔雙手及接受體溫檢測

All persons are required to wear their own masks, clean their hands with hand sanitisers at entrance of counting stations and have their body temperature checked

- 有發燒徵狀或呼吸道感染病徵的人士一律不得進入點票站。假若候選人或代理人有上述病徵，可委任其他代理人前往觀察點票

All persons who show sign of fever or respiratory infection symptoms are not allowed to enter counting stations. Candidates or agents who show sign of the above-mentioned symptoms may appoint other agents to observe the count



應對 2019 冠狀病毒病的安全措施 (7) Safety Measures in response to COVID-19 (7)

- ➔ 民政事務總署會繼續同醫務衛生局及衛生防護中心保持緊密聯繫，密切注視疫情發展，並因應情況作出評估同適當安排

Home Affairs Department will maintain close contact with Health Bureau and Centre for Health Protection and monitor development of epidemic, make assessment and draw up appropriate arrangements



投票站內的行為

Conduct inside Polling Station

- ▶ 候選人、選舉代理人或監察投票代理人可以進入投票站觀察投票的過程，但須遵守相關法例規定，包括進入投票站時須出示已簽妥的保密聲明

Candidates, election agents or polling agents may observe the poll in polling stations, but they must comply with relevant legal requirements, including to sign and present a Declaration of Secrecy when entering polling stations

- ▶ 詳情請參閱《選舉活動指引》第六章
For details, please refer to Chapter 6 of the Guidelines on Election-related Activities



禁止拉票區/禁止逗留區 (1)

No Canvassing Zone / No Staying Zone (1)

- ▶ 在投票日，投票站外圍會劃為「禁止拉票區」，出入口範圍會劃為「禁止逗留區」

An area outside each polling station will be designated as No Canvassing Zone (“NCZ”) and No Staying Zone (“NSZ”) will be designated at the entrance/exit of a polling station on polling day

- ▶ 任何人均不可在「禁止逗留區」逗留，亦不可在「禁止拉票區」內拉票或向選民打手勢、示好等「變相拉票」的行為

No one is allowed to stay in NSZ nor be allowed to canvass for votes or conduct “de-facto canvassing” like making hand gestures, greetings, etc., inside the NCZ



禁止拉票區/禁止逗留區 (2)

No Canvassing Zone / No Staying Zone (2)

- 有關「禁止逗留區」及「禁止拉票區」的位置圖稍後會派發給各候選人

Location map of NCZ and NSZ will be distributed to candidates in due course

- 《選舉活動指引》第十三章和附錄五已詳細載列嚴禁在「禁止拉票區」及「禁止逗留區」內進行的行為和活動，候選人和助選人員必須遵守有關規則

Conduct and activities which are forbidden within NCZ and NSZ are set out in Chapter 13 and Appendix 5 of the Guidelines on Election-related Activities. Candidates and supporters shall observe the relevant requirements



點票程序 (1)

Counting Arrangement (1)

- 投票結束後，一般投票站會隨即改裝為點票站，點票站的主管會負責－

After the close of poll, ordinary polling stations will be converted to counting stations. Officer-in-charge of counting station is responsible for -

- 開啟票箱及進行點票；及
Opening ballot boxes and counting votes; and
- 裁決問題選票
Deciding on validity of questionable ballot papers



點票程序 (2)

Counting Arrangement (2)

專用投票站的選票

Ballot Papers from Dedicated Polling Station

村代表選舉

Village Representative Election

所有專用投票站(包括設於美田社區會堂的專用投票站)的票箱

Ballot boxes from all DPS(s) (including DPS in Mei Tin Community Hall)

送往選票分流站
(位於沙田顯徑鄰里社區中心)

Deliver to ballot paper sorting station (situated in Hin Keng Neighbourhood Community Centre, Sha Tin)

選票按封套上的鄉村名稱分類

Sort ballot paper in envelope according to name of village marked thereon

選票送往相關點票站，與一般投票站的選票混合再進行點算

Deliver sorted ballot papers to relevant counting stations, mix with ballot papers of that polling station and count together

鄉郊代表選舉
Rural Representative Election



點票程序 (3)

Counting Arrangement (3)

➤ 街坊代表選舉 Kaifong Representative Election

所有專用投票站(包括設於美田社區會堂的專用投票站)的票箱

Ballot boxes from all DPS(s) (including DPS in Mei Tin Community Hall)

送往選票分流站
(位於中環離島民政事務處會議室)

Deliver to ballot paper sorting station (situated in Islands District Office Conference Room in Central)

選票按封套上的墟鎮名稱分類

Sort ballot paper in envelope according to name of Market Town marked thereon

選票送往相關點票站，與一般投票站的選票混合再進行點算

Deliver sorted ballot papers to relevant counting stations and count together with ballot papers of that polling station



點票程序 (4)

Counting Arrangement (4)

- ▶ 候選人、選舉代理人及監察點票代理人可以在選票分流站或點票站內觀察整個選票分流或點票過程，但不可以觸摸任何選票
Candidates, elections agents and counting agents can observe entire process of sorting and counting of ballot papers in ballot paper sorting station and counting station, but they are not allowed to touch any ballot papers
- ▶ 公眾人士及傳媒可在點票站內的指定區域觀察點票
Members of the public and media can observe the count at designated area of counting station
- ▶ 為備存資料作紀錄用途，點票站(包括點票區範圍)內會裝設閉路電視，攝錄點票站(包括公眾範圍)的實際情況
For record purposes, closed-circuit televisions will be installed in each counting station (including inside counting zone) to record real situation of counting station (including public area)



點票程序 (5)

Counting Arrangement (5)

▶ 村代表選舉

Village Representatives Election

- ▶ 採用「人手點票」：根據選票上所投選的候選人，將選票分別放入有關候選人的透明膠箱，然後點算各候選人所有有效選票的數目

Adopt “Manual Counting” method: Ballot papers will be sorted with reference to candidates voted and placed into relevant transparent boxes. The number of valid ballot papers of candidates will then be counted



點票程序 (6)

Counting Arrangement (6)

■ 街坊代表選舉

Kaifong Representatives Election

➤ 採用「電腦點票」

Adopt “Computer Counting” method

- 使用電腦輸入選票上所投選的候選人編號，以電腦點算各候選人所得票數
Choices marked on every ballot paper will be keyed into computer. Computer system will then calculate the number of votes obtained by each candidate
- 如果電腦系統出現嚴重故障，會採用「圍桌點票」，將每張選票上填劃的選擇記錄在表格上，然後點算各候選人所得票數
In case of serious breakdown of computer system, “Roundtable Counting” method will be adopted to manually count and record votes obtained by each candidate on counting form



裁決問題選票 (1)

Decision on questionable ballot papers (1)

- 關於有效選票、無效選票及裁決問題選票的法例及程序，請參閱《選舉活動指引》第四章第十三部分

For laws and procedures on valid ballot papers, invalid ballot papers and decision on questionable ballot papers, please refer to Part XIII of Chapter 4 of the Guidelines on Election-related Activities

- 點票站的主管或選舉主任就問題選票的裁定為最終決定。候選人可於選舉結束後藉選舉呈請質疑選舉結果

The decision of Officer-in-charge of Counting Station or Returning Officer in respect of any questionable ballot papers shall be **final**. Candidate may question result of election by lodging **election petition** after election



裁決問題選票 (2)

Decision on questionable ballot papers (2)

- 就原居民代表選舉及街坊代表選舉裁決問題選票方面，假若點票站的主管認為選票的其中一個選擇不明確而無效，點票站的主管可裁定全張選票無效

For determining questionable ballot papers pertaining to Indigeneous Inhabitant Representative Election and Kaifong Representative Election, if Officer-in-charge of counting station considers that one of the choices of a ballot paper is void for uncertainty, he/she may determine the ballot paper as wholly invalid



宣布選舉結果 (1)

Declaration of Result (1)

- 完成點票後，點票站的主管會將點票結果告訴在場的候選人或代理人。候選人或其選舉代理人可以要求重新點票

When counting is completed, Officer-in-charge of counting station will make known the counting result to candidates or their agents present, who may request for a re-count

- 點票及重新點票(如有的話)完畢，並得出結果後，選舉主任會宣布結果

Upon completion of the count or re-count (if any), and counting result is confirmed, Returning Officer will declare the election result



宣布選舉結果 (2)

Declaration of Result (2)

- 如果點算結果顯示獲得最多票數的候選人或餘下獲得最多票數的候選人獲相同的票數，選舉主任會按照相關法例以抽籤方式決定選舉結果。選舉主任須宣布中籤的候選人當選

In the event that a vacancy is yet to be filled and more than one of the remaining candidates has the equal highest number of votes, Returning Officer shall determine result of election by drawing lots. Returning Officer shall declare the candidate on whom the lot falls as elected



選舉廣告 (1)

Election Advertisements (1)

- 關於展示候選人發布選舉廣告的安排和法例規定請參閱《選舉活動指引》第七章

For details on laws and requirements on display of election advertisement, please refer to Chapter 7 of the Guidelines on Election-related Activities

- 候選人須在發表選舉廣告後1個工作天內，將選舉廣告文本、展示准許、支持同意書及相關資料交予選舉主任或上載至中央平台或候選人平台

Candidate should, within one working day after publication of an election advertisement, submit copies of the election advertisement, consent of support/permission and relevant information to Returning Officer, or upload the same onto Central Platform or Candidate's Platform

- 候選人如沒有遵守上述規定，即屬違法

Candidates who fail to comply with the above requirements commit an offence



選舉廣告 (2)

Election Advertisements (2)

- ▶ 在政府土地或私人地方展示選舉廣告，必須事先得到書面准許
Candidates must obtain prior written consent before displaying election advertisements on government or private land or property
- ▶ 在獲選舉主任分配的指定位置展示選舉廣告，必須符合相關規定，包括基於道路安全的考慮，不得在街道欄杆及圍欄張掛「直旗」
Candidates must observe conditions for display of election advertisements at designated spots allocated by Returning Officer, including no “vertical flags” are permitted to display at railing because of road safety concern



選舉廣告 (3)

Election Advertisements (3)

- ▶ 在私人地方展示選舉廣告，候選人須自行事先取得有關業主或業主組織的書面批准

Prior written consent of private owner or owners' organisations have to be obtained by candidates themselves for display of election advertisements on private land or property

- ▶ 候選人須在投票日前，拆除所有在「禁止拉票區」內的選舉廣告及移除在「禁止拉票區」內行駛或停泊的車輛(包括公共服務車輛)上展示的選舉廣告

Candidates should, before polling day, remove all election advertisements posted up in NCZ, and election advertisements displayed on vehicles (including public service vehicles) which will pass through or be parked in NCZ



選舉廣告 (4)

Election Advertisements (4)

- ▶ 如在網上平台發布與選舉有關的言論構成選舉廣告，而發布者並非候選人或其選舉開支代理人，便會干犯有關選舉開支的罪行

If election-related opinions on online platform constitute election advertisements and the publisher is not a candidate or his/her election expense agent, the publisher will commit an offence relating to election expenses

- ▶ 然而，若發布者屬第三者（即候選人及選舉開支代理人以外的人士）而所招致的開支只屬電費及／或連接互聯網所需的費用，可獲豁免相關刑事責任。但若開支涉及其他製作費則不獲豁免

However, if the publisher is a third party (i.e. a person other than a candidate and election expense agent) and the only expenses incurred are electricity charges and/or charges necessary for accessing Internet, he/she will be exempted from criminal liability. There will be no exemption if the expenses involve other production costs



選舉廣告 (5)

Election Advertisements (5)

- 如發布者是候選人或其選舉開支代理人，亦不會獲得豁免。他們必須申報有關選舉開支

If the publisher is a candidate or election expense agent, there will be no exemption. They must declare the related election expenses

- 詳情可以參閱《選舉（舞弊及非法行為）條例》第23(1A)條及《選舉活動指引》第七章

For details, please refer to section 23(1A) of the Elections (Corrupt and Illegal Conduct) Ordinance and Chapter 7 of the Guidelines on Election-related Activities



選舉廣告 (6)

Election Advertisements (6)

- 任何人士或組織(包括與候選人有聯繫的組織)在選舉期間或之前，透過任何形式發布的宣傳物料，直接或間接呼籲選民投票或者不投票予某些候選人或與某組織或團體有連繫的候選人，無論該些物料是否載有候選人的姓名或照片，視乎相關整體情況，有關物料亦可能會構成選舉廣告

Any materials published by any person or organisation (including those with which the candidates affiliated) during or before election period to appeal directly or indirectly to electors to vote or not to vote for certain candidates or candidates belonging to or affiliated with certain organisations, irrespective of whether they contain any names or photographs of candidates, may, depending on the circumstances, also be regarded as election advertisements



選舉廣告 (7)

Election Advertisements (7)

- 在有關背景下閱讀，有關宣傳物料可能令選民可以合理地識別出當中所指的某候選人或某些候選人的身分

When reading in context, the materials concerned may reasonably be understood by electors as referring to certain identified candidate(s)

- 發布該物料的相關費用亦會被視為選舉開支，而發布者必須為獲授權的選舉開支代理人，否則即屬違法

Expenses incurred for publishing such materials will also be regarded as election expenses; and the publisher must be the election expense agent of the candidate. Otherwise, he/she commits an offence



清除選舉廣告

Clearance of Election Advertisements

- ▶ 候選人須在選舉結束後10日內，將展示在政府土地或物業上的選舉廣告拆除，否則政府部門會代為清除

Candidates should remove their election advertisements displayed on Government land or property within 10 days after polling day. Otherwise, government department(s) will remove those election advertisements on their behalf

- ▶ 候選人須繳付有關清拆費用，並須將有關費用視作候選人的選舉開支，列入其選舉申報書內

Candidates should bear the cost of such removal, which will be regarded as the candidates' election expenses and must be included in their Election Return



進行競選活動及競選聚會 (1)

Electioneering Activities and Election Meetings (1)

- 若候選人計劃在政府或私人地方進行競選活動及舉行選舉聚會，必須得到有關政府部門或組織批准

Candidates who plan to conduct electioneering activities at Government or private premises shall obtain prior permission from relevant government departments or management bodies

- 詳情請參閱《選舉活動指引》第八章及第九章

For details, please refer to Chapters 8 and 9 of the Guidelines on Election-related Activities



進行競選活動及競選聚會 (2)

Electioneering Activities and Election Meetings (2)

- 業主組織或管理機構應公平及平等對待所有候選人
Owners' corporations or management organisations should treat all candidates in a fair and equal manner
- 「選舉聚會」指任何為促使或阻礙某候選人或某些候選人在選舉中當選而舉行的聚會
“Election Meeting” is a meeting held to promote or prejudice the election of a particular candidate or particular candidates
- 於選舉之前、期間或之後籌辦的選舉聚會而招致的開支，都屬於選舉開支
Expenses incurred before, during or after the elections on account of an election meeting organised are election expenses



進行競選活動及競選聚會 (3)

Electioneering Activities and Election Meetings (3)

- 在選舉期間，候選人可作為日常活動的一部分，出席與選舉無關的其他聚會。只要此類聚會不是為促使或阻礙某候選人或某些候選人在選舉中當選而舉行，便不會被視為選舉聚會。

During election period, candidates may attend any other meetings as part of their normal activities which are not election-related. Insofar as such meetings are not held for purpose of promoting or prejudicing the election of a particular candidate or particular candidates, they will not be regarded as election meetings

- 若在一般活動或會議期間有人拉票，候選人應立即叫停，聲明與有關拉票活動無關

If someone act out of his/her own volition to promote the election of the candidate, the candidate should immediately ask the organiser to stop and make it clear that he/she has nothing to do with the acts



使用揚聲器材

Use of Sound Amplifying Device

- ▶ 候選人及其支持者在使用揚聲器材時，應顧及視障人士的需要，盡量遠離設有聲音輔助設施的地方，以避免揚聲器發出的聲響對聲音輔助設施所發出的提示聲造成干擾，影響視障人士的出行安全

Candidates and their supporters should consider the needs of the visually impaired when using amplifying device, and stay away from locations with audible signaling devices as much as possible so as not to cause interference with audible signals generated by barrier-free facilities, and undermine travel safety of the visually impaired.

- ▶ 詳情可參閱《選舉活動指引》第八章及第十一章

For details, please refer to Chapters 8 and 11 of the Guidelines on Election-related Activities



選舉開支

Election Expenses

- 法例規定的選舉開支限額表列如下

The legally prescribed election expense limits are set out as follows

登記選民的數目 No. of Registered Electors	選舉開支限額 Election Expenses Limit
不多於1 000名 Not more than 1 000	18,000元 \$18,000
1 001至5 000名 Between 1 001 and 5 000	28,000元 \$28,000
超過5 000名 Over 5 000	38,000元 \$38,000

- 候選人及其選舉開支代理人的選舉開支總額如超過上述訂明限額，即屬違法

It is an offence if total election expenses incurred by a candidate and his/her election expense agent(s) exceed the prescribed limit



選舉申報書

Election Return

- ▶ 候選人須在選舉結果刊憲後30日內，向民政事務總署署長提交選舉申報書
Candidates must submit Election Return to Director of Home Affairs not later than 30 days after publication of election result in the Gazette
- ▶ 選舉申報書必須列明所有選舉開支及由候選人或由他人代候選人所收取的所有選舉捐贈
All election expenses incurred and election donations received by or on behalf of the candidate must be set out in the Election Return
- ▶ 詳情請參閱《選舉活動指引》第十五章及夾附在「候選人資料冊」相關的指南
For details, please refer to Chapter 15 of the Guidelines on Election-related Activities and the relevant Guide contained in the “Candidate Folder”



使用選民資料 (1)

Use of Electors' Information (1)

- ▶ 候選人可以要求選舉主任提供所屬鄉郊地區的正式選民登記冊的摘錄硬複本及/或軟複本，並必須簽署一份「使用選民資料承諾書」

Candidates may request Returning Officer to provide a hard copy and/or a soft copy of an extract of the Final Register in respect of the relevant Rural Area. They must sign an “Undertaking on the Use of Electors’ Information”

- ▶ 候選人必須確保有關選民的個人資料只用於今次選舉有關用途，並妥善保存，防止外泄。如將資料用於與是次選舉無關的用途，屬刑事罪行

Candidates must ensure that personal data of electors are used for purposes relating to this election only and are properly protected against leakage. The use of information for a purpose other than the purpose related to an election is an offence



使用選民資料 (2)

Use of Electors' Information (2)

- 如候選人使用電郵以集體形式發送選舉郵件，必須以「副本密送」(即“bcc”)形式或採取其他相應措施發出電郵，以確保選民個人資料得以保密

Candidates are reminded to use the “bcc” function or any other similar measures for mass distribution of election mails by email to safeguard the privacy of the personal data of individual elector

- 候選人必須在選舉結束後兩星期內，妥善銷毀所有選民的個人資料，並把填妥的「確認已妥善銷毀選民資料的回條」交回有關選舉主任

Candidates must ensure proper destruction of all the electors' personal data and return the duly completed “Reply Slip on Confirmation of Destruction of the Elector's Information” to the relevant Returning Officer within two weeks after elections



照顧有不同需要的選民 (1)

Catering for Electors with Different Needs (1)

- ▶ 候選人在設計選舉廣告或籌備競選活動時，應盡量顧及選民的不同需要，確保有特別需要的人士均可獲得選舉資訊

Candidates should take into consideration the different needs of electors when designing the election advertisements and organising the electioneering activities to ensure that electoral messages could reach persons with different needs



照顧有不同需要的選民 (2)

Catering for Electors with Different Needs (2)

- ▶ 選管會呼籲候選人提交純文字版「候選人簡介」，供視障選民可以利用電腦輔助軟件閱讀簡介內容

EAC appeals to all candidates to provide a text version of “Introduction to Candidates” to facilitate electors with visual impairment to read by using software aids

- ▶ 如候選人尚未提交純文字版的「候選人簡介」，最遲可於12月1日下午5時前，將填妥表格電郵至民政事務總署

If candidates have not yet provided text version of “Introduction to Candidates”, please email the completed form to Home Affairs Department before 5pm on 1 December



廉潔選舉

Clean Election

- 任何人在選舉中對他人施用武力、脅迫或欺騙手段以誘使他人
在選舉中參選或不參選，或影響或妨礙選民投票，即屬違法行為

If a person uses force or duress against another person to affect the candidature of that person, or affect an elector's voting preference, he/she engages in an illegal conduct

- 選管會如發現有任何涉嫌違法的個案，會轉交執法機構跟進調查以及採取適當的行動

EAC will refer cases of breach of the relevant legislation to law enforcement agencies for investigation and action



結語

Concluding Remarks

- ➔ 嚴格遵守有關的法例同指引，確保選舉在公開、公平及誠實的情況下進行

To strictly observe relevant legal provisions and guidelines to ensure the election is conducted openly, fairly and honestly



鄉郊代表選舉熱線：2152 1521

Rural Representative Election Hotline : 2152 1521

選管會投訴熱線：2827 7251

EAC Complaint Hotline : 2827 7251



多謝各位
Thank you

