

## **Section 1 – Background**

### ***Two District Council By-elections***

1.1 In accordance with section 33(1)(a) of the District Councils Ordinance (Cap 547) (“DCO”), the Electoral Affairs Commission (“EAC” or “the Commission”) conducted two by-elections on 6 March 2005 for the purpose of returning one elected member each to fill the vacancies in the Eastern District Council (“DC”) and the Sham Shui Po DC respectively. The reasons for conducting the two by-elections are given in paragraphs 1.2 to 1.3 below.

### ***Causes of the by-elections***

1.2 A vacancy has arisen in the Fort Street Constituency of the Eastern DC when Mr CHOI Sai-chuen, an elected member of the 2003 DC Election for the Constituency was determined not duly elected as a member of the Eastern DC for the rest of his term in accordance with section 26(d) of the DCO by the Court as a result of an election petition lodged by Mr CHU Hon-wah, an opponent candidate contesting for the same constituency. Mr CHU had lodged an election petition to the Court of First Instance in December 2003 questioning the election result of the 2003 DC Election on the ground of material irregularities in relation to the counting of votes under section 49 of the DCO. On 2 December 2004, the Court ruled that the petitioner’s allegation was established.

1.3 Another vacancy arose in the membership of the Sham Shui Po DC on 4 December 2004 when Mr TAI Yuen-ming, an elected DC member of the Nam Cheong Central Constituency, had been convicted of conspiring to defraud and sentenced to two years' imprisonment. In accordance with section 24(1)(d)(i) of the DCO, Mr TAI was disqualified from holding his office.

1.4 Pursuant to section 32(1) of the DCO, the Director of Home Affairs declared the existence of the above two vacancies by notices published in the Gazette on 17 and 24 December 2004 respectively.

### ***The Constituencies***

1.5 The Fort Street Constituency is one of the 37 DC constituencies in the Eastern District, with a registered electorate of 7,375. The Nam Cheong Central Constituency is one of the 21 DC constituencies in the Sham Shui Po District, with 5,726 registered electors. Maps showing the boundary of these two constituencies are attached at **Appendix I**.

### ***The polling day and the nomination period***

1.6 Since the two vacancies had arisen in close proximity of time, the Chief Electoral Officer ("CEO") decided to appoint Sunday, 6 March 2005 as the polling day for the conduct of these by-elections and specified the period from 13 to 26 January 2005 (both dates inclusive) as the nomination period for candidates by publishing notices in the Gazette on 31 December 2004 and 7 January 2005 respectively.

## **Section 2 – Appointments and Nominations**

### ***Appointments***

2.1 Mr CHO Chun-wah, Herman, JP, the District Officer (Eastern) (“DO(Eastern)”) and Miss WONG Kwok-ling, Emmy, the Assistant District Officer (Eastern) were appointed as the Returning Officer (“RO”) and the Assistant Returning Officer (“ARO”) respectively for the Fort Street Constituency by-election. On the other hand, Mr YIP Tai-wai, David, JP, the District Officer (Sham Shui Po) (“DO(SSP)”) and Miss CHOI Suet-yung, Jasmine, the Assistant District Officer (Sham Shui Po) were appointed as the RO and ARO for the Nam Cheong Central Constituency by-election. Their appointments were made by the EAC Chairman and published in the Gazette on 31 December 2004 and 7 January 2005 respectively.

2.2 Mr CHEUNG Siu-nam, Rex and Ms Dorothy CHENG, Government Counsel and Senior Government Counsel of the Department of Justice (“D of J”) were appointed by the EAC Chairman as the Assistant Returning Officer (Legal) for the Fort Street Constituency and Nam Cheong Central Constituency by-elections on 19 January 2005.

2.3 Mr HO Bing-kwan, Barrister-at-law, was appointed as the Nominations Advisory Committee (District Councils) (“NAC(DC)”) for the by-elections to provide the ROs with the necessary legal advice on the eligibility of the candidates being nominated. Mr HO’s appointment,

covering the period from 13 to 28 January 2005 was published in the Gazette on 7 January 2005.

### *Nominations*

2.4 By the close of the two-week nomination period on 26 January 2005, the RO of the Fort Street Constituency by-election received a total of six nominations, of which, four were confirmed valid. The valid nominees were Messrs CHU Hon-wah, WONG Shing-fai Chris, CHIN Chi-yung (Barry) and HUNG Lin-cham. The other two nominees, Messrs CHOI Sai-chuen and TANG Chui-chung, had subsequently withdrawn from the contest before close of nomination.

2.5 As for the Nam Cheong Central Constituency by-election, the RO received a total of four nominations by the close of the nomination. The nominees were Messrs CHEUNG Chi-keung, CHEUNG Man-to Raymond, FOO Wai-lok and NGAI Sing-leuk.

2.6 As stipulated in section 2 of the District Councils (Subscribers and Election Deposit for Nomination) Regulation, the amount of deposit to be lodged by or on behalf of a candidate in respect of his nomination as a candidate in the election is HK \$3,000.

2.7 Up to the close of the nomination period, the NAC(DC) did not receive any request from the ROs for legal advice on the validity of the nominations for these by-elections.

*Briefing for the candidates*

2.8 A briefing session for the candidates and their agents, hosted by the EAC Chairman, was conducted on 29 January 2005 at the Sheung Wan Civic Centre. The Chairman highlighted the major electoral arrangements, including the major provisions in the legislation and electoral guidelines governing election advertisements (“EAs”) and election expenses for the candidates’ and their agents’ attention. Besides, the CEO from the Registration and Electoral Office (“REO”), the two ROs, representatives from the D of J, the Independent Commission Against Corruption (“ICAC”) and the Hongkong Post were invited to the briefing. They took the opportunity to brief the candidates and answer queries on subjects within their respective purview.

2.9 After the briefing session, the ROs concerned, witnessed by all parties present, drew lots to determine the candidate number (to be shown on the ballot paper) for each candidate and to allocate the designated spots to them for the display of their EAs in the respective district. As a result of lots drawing, Messrs WONG Shing-fai Chris, CHIN Chi-yung (Barry), HUNG Lin-cham and CHU Hon-wah were allocated with the candidate number 1, 2, 3 and 4 respectively for the Fort Street Constituency by-election, and Messrs NGAI Sing-leuk, CHEUNG Chi-keung, CHEUNG Man-to Raymond and FOO Wai-lok were allocated with the candidate number 1, 2, 3 and 4 respectively for the Nam Cheong Central Constituency by-election.

2.10 A total of 24 spots in the Eastern district were designated for the display of EAs during the election period and the four candidates were each allocated with 6 spots. On the other hand, 40 spots in the Sham Shui Po district had been designated for the display of EAs during the election period and each candidate was allocated with 10 spots.

2.11 On 4 February 2005, the ROs published in the Gazette the candidates' names, their candidate numbers and principal residential addresses for public information.

### ***Death of Mr CHU Hon-wah***

2.12 Regrettably, Mr CHU Hon-wah, one of the candidates of the Fort Street Constituency by-election passed away on 24 February 2005. In accordance with section 24 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap 541F) ("EAC (EP)(DC) Reg"), the RO concerned published a notice in the Gazette on 4 March 2005 to announce the death of Mr CHU and declared that the remaining candidates remained validly nominated for that by-election.

### ***Revisions of the EAC's Guidelines***

2.13 Having regard to the recommendations in the *Report on the 2004 Legislative Council ("LegCo") Election*, the EAC Guidelines for the DC elections which were issued in September 2003 (in loose-leaf format) had been further revised with a view to refining the electoral arrangements for these by-elections. The major changes proposed in the guidelines include –

- (a) explaining the scope and definition of EA in greater detail.  
The Guidelines clarify that a printed performance report by an incumbent candidate during the election period would be treated as an EA, whether or not it has promoted his candidacy, whereas a performance report shown on a website of an incumbent candidate during or before the election will be treated as an EA if it is published for the purpose of promoting or prejudicing the election of a candidate;
- (b) drawing the attention of the candidates to the Court's recent decision on an election petition case, in which the court had ruled that the handwritten tick on the ballot paper was considered a mark by which the elector could possibly be identified and thus the ballot paper was considered as invalid;
- (c) adding a statement that before the issue of warning to a complainee, reasonable effort should be made to contact the person and give him a reasonable opportunity to give explanations;
- (d) displaying a notice outside the polling station showing the contact telephone number of a responsible polling officer during the close of the polling station;

- (e) adding a statement that service providers which are not licensees under the Broadcasting Ordinance should not be regarded as commercial broadcasters. They are allowed to carry EAs territory wide; and
- (f) adding a guidance note on safe conduct of election-related activities issued by the Commissioner of Police.



### **Section 3 – Preparation Work**

#### ***Appointment and training of polling/counting staff***

3.1 Having considered the relatively small scale of these by-elections, a service-wide recruitment of civil servants to serve as polling staff was deemed not necessary. Instead, the staff of the REO took up the polling and counting duties. To equip them with the necessary skills and knowledge on polling and counting duties on the polling day, a series of in-house briefing sessions and mock polling/counting exercises were organized from 1 to 4 March 2005.

#### ***The polling-cum-counting station***

3.2 As in the previous by-elections and the 2003 DC Election, both the poll and the count for the by-elections were conducted at the same location. The Kiangsu & Chekiang Primary School was designated as the polling-cum-counting station for the Fort Street Constituency by-election while the Pei Ho Street Sports Centre was designated for the Nam Cheong Central Constituency by-election. On 4 February 2005, the designation of these places as the polling and counting stations was published in the Gazette for public notice.

3.3 Setting up arrangements for these polling stations were held in the afternoon on the day preceding the polling day. The venue at the Kiangsu & Chekiang Primary School was partitioned into two parts, ie the

polling station and the counting station. Within the counting area, there was a counting zone, a seating area for the candidates and their agents, and an area for members of the public to observe the counting of votes. The polling station at the Pei Ho Street Sports Centre was smaller than the Kiangsu & Chekiang Primary School and the entire place was delineated as a polling station during the poll. Arrangements were made to convert the polling area into a counting station after the close of poll.

### *Notification to electors*

3.4 In line with the established practice, the REO issued a poll card to each registered elector of these by-elections. The poll cards were sent on 18 February 2005 together with other information materials, including a brief introductory leaflet on the candidates, a guidance note on voting, a location map of the polling station, an appeal letter from the respective DO and a pamphlet on clean and fair elections prepared by the ICAC.

3.5 As the introductory leaflets on all candidates had been sent to the electors for the Fort Street Constituency by-election before the death of Mr CHU Hon-wah, arrangements had been made to inform the public of Mr CHU's withdrawal from the election through a Gazette notice, media reports and the placement of a notice outside the polling station concerned on the polling day.

### ***Publicity***

3.6 The REO arranged press releases to cover the major events in respect of these by-elections which include briefing for the candidates, the poll, the count and the EAC visits to the stations. Besides, all the relevant information had been uploaded onto the EAC and the REO homepages for public viewing.

### ***Contingency plan***

3.7 To cater for unforeseen situations in which the by-elections might not be proceeded with as scheduled, for one reason or another (such as inclement weather conditions), arrangements were made with the venue management of the polling stations to reserve another day as fall back day for polling. Besides, extra stock of electoral materials were put in reserve to cope with any unforeseeable situations.

## **Section 4 – The Poll**

### ***Polling hours***

4.1 The CEO announced the polling hours of the by-elections by a notice in the Gazette published on 4 February 2005. The polls were scheduled from 7:30 am to 10:30 pm on Sunday, 6 March 2005.

### ***Logistical arrangements***

4.2 A central command centre was set up for the purpose of overseeing the operation of the poll and providing logistical support to the staff in the polling stations on the polling day. In addition, the centre provided a wide range of enquiry, complaint and support services to electors, candidates/agents, ROs/PROs and members of the public. The centre was also responsible for collating the relevant statistical information on electors' turnout rates, number and types of complaints received, etc. Such information was disseminated to the public through the media at regular intervals. It operated at the REO office in Guardian House from 7:00 am until the end of counting on the polling day. Simultaneously, an enquiry centre with 2 hotlines was set up for public enquiries and providing information to the polling stations regarding electors' entitlement to vote.

4.3 At the district level, two district command centres, manned by staff of the Home Affairs Department were set up at the Eastern District Office and Sham Shui Po District Office respectively to serve as the contact

point between the PROs and the respective ROs. Each of them was responsible for keeping the RO and ARO informed of all significant events which occurred within the district and for handling election-related complaints. A district team, under the direction of the district command centre, took prompt action against unauthorised EAs and illegal canvassing activities in the public area surrounding the no canvassing zones and the polling stations.

4.4 A complaints centre was also set up at the REO office in Harbour Centre to receive and process election-related complaints lodged with the EAC direct and cases referred to the EAC through other complaint-handling channels. It was manned by the staff of the Complaints Unit of the EAC secretariat and operated throughout the polling hours on the polling day.

4.5 With the support rendered by the Hong Kong Police Force and the Civil Aid Service, law and order was well maintained during the electoral processes within the two polling stations, no canvassing zones and no staying zones.

### ***The electoral arrangement***

4.6 In line with the arrangements in the 2004 LegCo Election and the 2004 Southern DC Tin Wan Constituency by-election, the following measures were adopted to address public concern on the illegal conduct of using mobile telephones inside the polling stations during the poll –

- (a) prominent signs were displayed inside (including voting

compartments) and outside the polling stations to remind electors that it was an offence to use a mobile telephone, paging machine or any other device for electronic communication, or to film, take photographs or make any audio or video recording within a polling station without the express permission, in writing, of the EAC, RO, or PRO;

- (b) the polling staff at the issuing desk reminded each elector not to use mobile telephone or telephones with camera function inside the polling stations;
- (c) no curtain was installed in front of the voting compartments so that the polling staff, the candidates and their agents could observe the conduct of elector inside the voting compartments; and
- (d) an enlarged restricted zone (around 2 metres) was designated outside the voting compartments and the table on which the elector placed his ballot paper to mark his vote had been set in such a position that caused his body to block the marking from being visible to persons outside the compartment.

4.7 To avoid the unnecessary exposure of electors' personal particulars shown on the registers at the issuing desks, especially to the elector waiting in a queue, a restricted zone (around 1 metre) was delineated in front of the issuing desks and a specially designed cardboard stand was placed at the front edge of the desks to block the sight line of anyone

standing behind him.

### ***Turnout of electors***

4.8 Out of 7,375 registered electors for the Fort Street Constituency, 2,087 turned up to cast their votes, which was 114 more than those who cast their votes in the 2003 DC ordinary election for the same constituency. The turnout rate was 28.30%, which was 2.43% lower than the rate for this particular constituency in the 2003 DC ordinary election because its electorate has been enlarged by an increase of 957 electors since 2003.

4.9 As for the Nam Cheong Central Constituency, out of 5,726 registered electors, 1,897 turned up to cast their vote, which was 213 fewer than those who cast their votes in the 2003 DC ordinary election for the same constituency. The turnout rate of this by-election was 33.13%, which was 6.27% lower than the rate for this particular constituency in the 2003 DC ordinary election. The electorate of the constituency has increased by 371 electors since 2003.

4.10 A breakdown of the hourly turnout rate of electors in respect of these by-elections is shown in **Appendix II**.

### ***VIP visits***

4.11 Mr Justice WOO, the EAC Chairman, Dr Elizabeth SHING and Mr Lawrence LOK, members of the Commission, paid their visits to the polling stations on the polling day. They visited the polling station of the

Fort Street Constituency by-election at the Kiangsu & Chekiang Primary School in the morning before proceeding to the polling station of the Nam Cheong Central Constituency by-election at the Pei Ho Street Sports Centre. They concluded the visit by meeting the media, expressing their appreciation on the smooth conduct of the polls.

4.12 Mr Stephen LAM, the Secretary for Constitutional Affairs also visited the polling stations before noon on the polling day.



## **Section 5 – The Conversion**

5.1 The poll closed at 10:30 pm as scheduled. A notice was promptly displayed at the entrance of both stations, notifying the public of the end of the poll and the temporary closure of the stations to facilitate their conversion into counting stations. Before the counting of votes began, another notice was displayed outside the stations announcing the approximate time when the stations would be re-opened again for the public to observe the count.

5.2 Meanwhile, the PROs were sealing the ballot boxes in the presence of all the candidates and their agents while the polling staff were preparing for the conversion. The conversion process was completed smoothly in both stations in less than 30 minutes.

5.3 Mr Justice WOO and Dr Elizabeth SHING observed the entire conversion process in the station of the Fort Street Constituency by-election at the Kiangsu & Chekiang Primary School, while Mr Lawrence LOK observed the conversion process in the station of the Nam Cheong Central Constituency by-election at the Pei Ho Street Sports Centre. They were satisfied with the smooth conversion process at both stations.

## **Section 6 – The Count**

### ***Start of the count***

6.1 At about 11:00 pm, both stations were re-opened for admission of the public including the media to observe the count. In the presence of all candidates and their agents, the PRO and Deputy PRO of each station transferred the sealed ballot box to the counting table. In the counting station of the Fort Street Constituency by-election, the unsealed ballot box was opened by the PRO with its contents emptied onto a counting table in the presence of Mr Justice WOO, Dr Elizabeth SHING and Mr Stephen LAM. As for the counting station of the Nam Cheong Central Constituency by-election, the unsealed ballot box was jointly emptied by Mr Lawrence LOK and the RO concerned. The count then commenced immediately.

### ***Invalid and questionable ballot papers***

6.2 A total of 2,087 registered electors turned up to cast their votes in the Fort Street Constituency by-election. However, only 2,086 ballot papers were cast into the ballot box because one elector had returned his unused ballot paper to the PRO concerned. Out of the 2,086 ballot papers cast, 13 were determined as invalid (including 9 unmarked and 4 containing votes for more than one candidate) pursuant to section 78 of the EAC (EP) (DC) Reg. Moreover, 85 ballot papers were identified as questionable. In the presence of all the candidates and their agents, the PRO, with the assistance of the ARO(Legal) examined carefully each questionable ballot

paper to determine its validity. As a result, 8 questionable ballot papers (including 7 with writing or mark by which the elector could possibly be identified and 1 void for uncertainty) were determined as invalid and rejected by the PRO concerned. The remaining 77 questionable ballot papers were determined as valid and were accepted. The total number of ballot papers not counted was 21.

6.3 As regards the Nam Cheong Central Constituency by-election, out of the 1,897 ballot papers cast into the ballot box, 5 of them were determined as invalid (including 3 unmarked, 1 not marked by the chop provided by REO and 1 contained votes for more than one candidate) in accordance with section 78 of the EAC (EP) (DC) Reg. Another 5 were identified as questionable ballot papers but were eventually determined as valid by the PRO in consultation with the ARO(Legal). As a result, the total number of ballot papers not counted was 5. An analysis of the ballot papers account is shown in **Appendix III**.

### ***Election result***

6.4 Upon the completion of the count, the PROs concerned verified the number of ballot papers counted at their polling stations with their ballot paper accounts. The figures were found consistent. There was no request for a re-count of votes at either one of the polling stations from the candidates concerned.

6.5 The counting of votes for both stations finished at around 12:00 midnight. At about 12:15 am, the RO of the Fort Street Constituency

by-election declared the election result: Mr HUNG Lin-cham was elected with 1,173 valid votes, representing 56.80 % of the total number of valid votes cast. The other two candidates, ie Messrs WONG Shing-fai Chris and CHIN Chi-yung (Barry) received 783 and 109 votes respectively.

6.6 As for the Nam Cheong Central Constituency by-election, Mr CHEUNG Man-to Raymond was elected with 964 valid votes, representing 50.95 % of the total number of valid votes cast. The other three candidates, ie Messrs NGAI Sing-leuk, CHEUNG Chi-keung and FOO Wai-lok, received 114, 631 and 183 votes respectively. The election result for both by-elections was published by a notice in the Gazette Extraordinary on 10 March 2005 (**Appendix IV**).

### ***Meeting the media***

6.7 The Chairman and members of the EAC met the press in the counting station of the Fort Street Constituency by-election immediately after the announcement of the election result to conclude that the Commission was content with the polling-cum-counting arrangements in both stations and the efficient completion of the counting process. They were satisfied that the principle of fairness, openness and honesty was upheld during these by-elections. The Commission would continue to review all the election-related procedures and arrangements with a view to refining and improving the electoral arrangements for public elections in future. The Chairman also took the opportunity to thank all parties concerned for making these by-elections a success.

## Section 7 – Complaints

### *Complaint-handling period*

7.1 In view of the relatively small scale of the by-election, the Commission took up the responsibility to handle complaints in relation to these by-elections instead of forming Complaints Committees as in ordinary elections.

7.2 The period for receiving complaints commenced on 13 January 2005 when the nomination period began. It ended on 20 April 2005, ie 45 days after the polling day. During the complaint-handling period for these by-elections, a total of 94 complaints were received by the EAC, RO, Police and ICAC separately.

7.3 For the Fort Street Constituency by-election, of the 46 complaints received, 31 cases were received on the polling day. As for the Nam Cheong Central Constituency by-election, the public lodged a total of 48 complaints, including 29 cases received on the polling day. The majority of these complaint cases were about disturbances to electors caused by the use of loudspeakers or telephone canvassing in the conduct of electioneering activities. There were also allegations on illegal canvassing in the no canvassing zone or no staying zone and the display of unauthorized EAs on non-designated spots within the district. A breakdown of all these complaint cases is set out in **Appendix V**.

***Complaints received on the polling day***

7.4 During the poll, the RO and the Police received altogether 31 complaint cases for the Fort Street Constituency by-election and 29 for the Nam Cheong Central Constituency by-election. The REO Complaints Unit, PROs and ICAC received none. The following shows a breakdown of these cases –

	<b>Fort Street Constituency by-election</b>	<b>Nam Cheong Central Constituency by-election</b>
<b>RO</b>	<b>18</b>	<b>11</b>
<b>Police</b>	<b>13</b>	<b>18</b>
<b>Total</b>	<b>31</b>	<b>29</b>

7.5 All cases received on the polling day were expeditiously handled and resolved on the spot. The majority of the complaint cases concerned unauthorized display of EAs and noise nuisances caused by the use of sound amplifying devices by the candidates in their canvassing activities. Details of these cases are set out in **Appendix VI**.

***Outcome of investigation***

7.6 Upon investigation into the 46 election-related complaints for the Fort Street Constituency by-election received during the complaint-handling period, 22 cases were considered substantiated, 1 partially substantiated and 23 unsubstantiated.

7.7 For the Nam Cheong Central Constituency by-election, of the 48 cases received during the complaint-handling period, 13 cases were substantiated, 23 partially substantiated and 7 were not substantiated. Investigations on the remaining cases have been undertaken by the Police and the ICAC respectively.

## **Section 8 – Review and Recommendations**

8.1 Having carefully reviewed all aspects of the by-elections held on 6 March 2005, the EAC considered that the polling and counting arrangements were generally satisfactory. For refinement of the electoral arrangements, the following improvement measures were considered.

### ***(A) The polling-cum-counting arrangement***

8.2 The polling-cum-counting arrangement had been working smoothly since the 2003 DC ordinary election and all the DC by-elections held in 2003 and 2004. The counting of votes in these two by-elections took place within 30 minutes after the poll in their respective polling stations and was completed within an hour. Positive feedbacks were received from all parties concerned.

8.3 **Recommendation:** The EAC recommends that the polling-cum-counting arrangement should continue in future DC by-elections, in view of the successful implementation of such arrangement.

### ***(B) Improvement on voting compartments***

8.4 The removal of the curtain in front of the voting compartment was a new measure adopted in the 2004 LegCo Election to inhibit any persons from taking photos of the ballot paper within the voting compartment. A restricted area was delineated in front of the voting



compartment to protect the secrecy of the vote. The carton partitions of the voting compartment were extended outside the edge of the table on which the elector marks his ballot paper so that the elector's own body would block his marking and prevent it from being visible to anyone behind.

8.5        **Recommendation:** The EAC recommends that the newly designed voting compartment should continue to be used in future elections, in view of its effectiveness in protecting the secrecy of the vote.

***(C) The polling station at Kiangsu & Chekiang Primary School***

8.6        A Rehabus was reserved on call to facilitate electors with disabilities to cast their votes. It was used for transporting disabled electors to the polling station of the Fort Street constituency during the polling day because the station is situated on a steep slope and there was no better alternative venue in the constituency. The arrangement proved to be effective in relieving the disabled electors from walking a long distance over a trying terrain to cast their votes.

8.7        **Recommendation:** The EAC recommends that the use of Rehabus should be continued in future by-elections for polling stations which are not suitable for disabled electors and when no better alternative venue was available.

## **Section 9 – Acknowledgement**

9.1 The Commission wishes to extend its gratitude towards the following government bureaux and departments for their valuable assistance rendered throughout these by-elections: Constitutional Affairs Bureau, Civil Aid Service, Department of Justice, Electrical and Mechanical Services Department, Food and Environmental Hygiene Department, Leisure and Cultural Services Department, Government Logistics Department, Highways Department, Home Affairs Department, Hong Kong Police Force, Hongkong Post, Independent Commission Against Corruption, Information Services Department, Lands Department, Office of the Government Chief Information Officer (of the Commerce, Industry and Technology Bureau) and Official Languages Division (of the Civil Service Bureau). Each and every one of them contributed to making the by-elections a successful event.

9.2 The Commission is particularly grateful for the efforts of all REO staff, officers serving as ROs and AROs, and the legal practitioner serving on the NAC(DC) in these by-elections.

9.3 The Commission wishes to thank the media for their wide coverage of the major events in relation to these by-elections.

9.4 Last but not least, the Commission would like to express its appreciation to those electors who turned up to cast their vote and all those who complied with the electoral legislation and guidelines during the electoral processes.

## **Section 10 – Looking Forward**

10.1 The imminent tasks for the EAC were the Election Committee Subsectors By-elections and the Chief Executive Election. The Subsectors By-elections were held on 1 May 2005, while the Chief Executive Election is to be held on 10 July 2005. Preparation work has been proceeded in earnest. The Commission will continue with its mission of ensuring that all public elections are conducted in an open, fair and honest manner. It will remain, as always, open to the views from the public on what measures should be taken to improve future electoral arrangements.

10.2 The Commission would like to recommend this report be made public, at a time the Chief Executive thinks appropriate, to enhance the transparency of the Commission's work in the conduct and supervision of the by-elections under the Electoral Affairs Commission Ordinance (Cap 541).