

Election Committee Subsector Elections
Action Checklist for Candidates

<u>Time</u>	<u>Action</u>
Before and during nomination period	1. Obtain the following from the Returning Officers (“RO”), District Offices or the Registration and Electoral Office (“REO”): (a) nomination form for candidates; (b) electronic or paper versions of input form for Introduction to Candidates for the production of printed and text versions of the “Introduction to Candidates” and the “Guide on Completion of Input Form for Introduction to Candidates”; and (c) the form of “Intention to Display Election Advertisements at Designated Spots”.
During nomination period	2. Hand in the following to the RO by the candidate in person <u>before the end of the nomination period</u>: (a) the duly completed nomination form; and (b) an election deposit of \$1,000 in cash, via the Faster Payment System (“FPS”) using “Scan to Pay”, or by cashier’s order or crossed cheque made payable to “The Government of the Hong Kong Special Administrative Region”.

Candidates using FPS to pay the election deposit should note that individual banks or their personal bank accounts may have defined different limits for various types of payments or transfers. If the available transaction limit of the candidate's bank account is lower than the prescribed election deposit payable, the transaction of paying the election deposit will fail, resulting in the nomination form not being accepted.

To avoid the risk of failure to lodge the election deposit due to dishonoured cheques or insufficient transaction limit of FPS, which would cause the nomination not to be accepted or to be ruled invalid, candidates should pay the election deposit in cash or by cashier's order as far as practicable.

3. Candidate should submit the duly completed "Candidate Eligibility Review Supplementary Information Form" to the Candidate Eligibility Review Committee ("CERC") Secretariat as soon as possible and before the close of the nomination period.
4. Apply to Hongkong Post for written approval of the election mail specimens for free postage. Candidates should:
 - (a) carefully study the requirements in "Notes on Posting Free Postage Election Mail" before deciding on the contents of their election mails and seek advice from Hongkong Post or the REO if in doubt; and

- (b) submit their election mail specimens to Hongkong Post for approval as early as possible to allow sufficient time for revising the contents of their election mail specimens when necessary.

5. Upon successful submission of the nomination form, candidate will receive a “Candidate Folder” containing various forms and reference materials for use by candidate.
6. Lodge with the RO a “Notice of Withdrawal of Candidature” in person before the end of the nomination period if the candidate wishes to withdraw his candidature.

Any time before, during
or after handing in
nomination form

7. Publication of Election Advertisements (“EAs”):

- (a) ensure that all printed EAs contain the name and address of the printer, date of printing and the number of copies printed;
- (b) ensure that all prior written consent of support, permission, and/or authorisation have been obtained before the publication of EAs;
- (c) (i) candidates who choose to set up an open platform maintained by the candidate(s) or a person authorised by the candidate(s) (“Candidate’s Platform”) for public inspection should provide the Chief Electoral Officer (“CEO”) with the **hyperlink** of the platform **at least three working days** (i.e. any day other than a general holiday or Saturday) before the publication of the first EA; and

- (ii) candidates who choose to use the open platform maintained by the CEO or a person authorised by the CEO (“Central Platform”) should submit to the CEO the “Application for Creating an Account of the Central Platform and Undertaking in respect of the Terms and Conditions in Using the Central Platform for Candidates”; and
- (d) make available a copy of each of the EAs and relevant information/documents, including publication information, permission or Consent of Support, in any of the following ways for public inspection **within three working days** after the publication of the EA by:
 - (i) uploading to the Central Platform;
 - (ii) uploading to the Candidate’s Platform;

Note: If an EA is published through an open platform on the Internet, the hyperlink to the specific EA published should be provided, rather than the hyperlink to the entire election website or social media page. However, if it is technically impracticable to upload hyperlinks to individual EAs (e.g. messages sent interactively and in real-time via social networks or communication websites on the Internet), the hyperlink to the open platform may be uploaded;

- (iii) providing two hard copies of each of the EAs and one hard copy of the related information/documents to the RO (or the CEO if the RO has not yet been appointed); or
 - (iv) providing two copies of a CD-ROM or DVD-ROM each containing the EAs and one hard copy of the related information/documents to the RO (or the CEO if the RO has not yet been appointed).
8. Incurring election expenses and receiving election donations:
- (a) record details of all election expenses and election donations;
 - (b) keep original invoices and receipts for all election expenses of goods or service of \$500 or above;
 - (c) issue a receipt to the non-anonymous donor for election donations of more than \$1,000 and keep a copy of the receipt. (may use the “Standard Receipt for Election Donations” provided by the REO); and
 - (d) if necessary, submit to the CEO an “Advance Return and Declaration of Election Donations” when an election donation is received.

Any time before
handing in nomination
form till the end of the
election period

9. Appointing election expense agent(s):

- (a) lodge with the RO (or the CEO if the RO has not yet been appointed) “Authorisation to Incur Election Expenses”; and
- (b) may authorise one person or more as the election expense agents, **may** also authorise the election agent as an election expense agent. The authorisation is not effective until it has been received by the RO or the CEO (if the RO has not yet been appointed).

Any time after handing
in nomination form

10. Appointing election agent:

- (a) lodge with the RO a “Notice of Appointment of Election Agent”; and
- (b) each candidate can only appoint one election agent. An election agent **cannot** act on behalf of the candidate:
 - (i) to sign the nomination form or make any necessary declaration;
 - (ii) to withdraw the candidature;
 - (iii) to incur election expenses (unless separately authorised by the candidate);
 - (iv) to authorise an election expense agent to incur election expenses; and
 - (v) to be present at a dedicated polling station situated in a maximum security prison.

Any time after handing in nomination form, but before the end of the nomination period

11. Lodge with the RO the form “Intention to Display Election Advertisements at Designated Spots”.

Any time after handing in nomination form, but within three days after the end of the nomination period

12. If a candidate wishes to use the “Introduction to Candidates” for promotion, he should, as soon as possible:

- (a) complete Part I and/or Part II of the electronic version of the input form (website: www.reo-form.gov.hk), and send it by email to e-intro_to_can@reo.gov.hk, or upload it to the REO’s e-Form Upload Platform or through Central e-Form Services; or
- (b) lodge with the RO a duly completed paper version of input form affixed with a colour photograph of the candidate which must be in a specified size and taken within the last six months; and provide two additional copies of the photograph identical to the one affixed to the input form, with a label affixed on the back of each photo stating the candidate’s name and name of subsector in which the candidate stands for election.

Note: For candidates submitting the paper version of input form, please refer to point 20 for submission of the electoral message in Part II of the electronic form.

(For detailed arrangements on the production of both printed and text versions of the “Introduction to Candidates”, please refer to the “Guide on Completion of Input Form for Introduction to Candidates”.)

- Any time after handing in nomination form, but not later than three weeks before the polling day
13. Obtain from the CEO a set of mailing labels of voters and/or “Candidate Mailing Label System” (“CMLS”) USB flash drives of voters in the relevant subsector, and must submit together with the “Undertaking on the Proper Use of Voters’ Information” (i.e. Part II of the “Notice for Collection of Voters’ Information”).

Note: Relevant voters’ information will only be provided to validly nominated candidates. To protect the environment and respect the preferences of the voters, the CEO will not provide mailing labels of voters who have provided their email addresses for receiving election mails and who have indicated that they do not wish to receive any election mails.

- Any time after handing in nomination form, but at least seven days before polling day
14. If necessary, lodge with the CEO the following documents:
- “Notice of Appointment of Polling Agent for a Dedicated Polling Station Situated in a Penal Institution (other than a Maximum Security Prison) and Application for Consent to the Presence of Election Agent/Polling Agent in a Dedicated Polling Station Situated in a Penal Institution (other than a Maximum Security Prison)”; and
 - “Notice of Appointment of Polling Agents for a Polling Station Not Situated in a Penal Institution”.

15. Lodge with the RO the “Notice of Appointment of Counting Agents”.

- Within five days after the end of the nomination period
16. Receive from the RO information about the election agents appointed by other candidates of the same subsector.

- Around five working days after the end of the nomination period
17. For contested subsectors, attend the lots drawing session held by the RO to determine the order of candidate names on the ballot paper and the designated spots allocated for the display of EAs.

Note:

- (a) The order of the names of candidates appearing on a ballot paper determined by lots drawing may not be the same as the Candidate Number. After the determination of the order in which the names of candidates appear on a ballot paper by lots drawing, the RO will allocate a Candidate Number to each validly nominated candidate subject to the decision of the CERC on the validity of the nomination of the candidate;
 - (i) if the CERC has decided the validity of the nomination of all candidates in a subsector before the Lots Drawing Session, the Candidate Number will be determined at the Lots Drawing Session; and
 - (ii) if the CERC, before the Lots Drawing Session, has not yet decided the validity of nomination of all candidates in a subsector, the Candidate Number will be determined later; and
- (b) in order to avoid any confusion, a candidate should print his Candidate Number on the EAs only when he is certain of his Candidate Number.

18. Receive from the RO the permission/authorisation for the display of EAs at designated spots allocated to the candidate (candidates for uncontested subsectors will not be allocated with designated spots).

Note: Candidate could display EAs at designated spots only after the CERC has determined his nomination valid.

Within 14 days after the end of the nomination period

19. Receive from the RO the “notification on the validity of the candidate’s nomination” (validly nominated candidates will also receive a separate notification regarding the validity of nominations of other candidates of his subsector).

20. Validly nominated candidates and/or election agents attend the candidates’ briefing session.

Around 14 days after the end of the nomination period

21. Before the deadline specified by the REO, complete the electronic version of input form (available on website) by text input, and upload it to the designated e-Form Upload Platform, for REO to upload the text version of “Introduction to Candidates” to the dedicated election website.

Note: If a candidate fails to submit the electronic version of the text information by the above deadline, the relevant website will only display the graphic version of his “Introduction to Candidates”, and the text version will show only the candidate’s name, personal information (if provided in the input form) and candidate number, with a note stating that the candidate has not provided the text version of his electoral message.

Not later than ten days before the polling day

22. Receive notification from the ROs of the commencement time and place for the counting of votes.

- Not later than seven days before the polling day
23. Receive from the ROs information regarding the delineation of the no canvassing zones and no staying zones for the polling stations (including the dedicated polling stations), as well as the name badges for candidates and their agents.
- Within one week before the polling day
24. Lodge with the CEO the “Notice of Appointment of Polling Agent for a Dedicated Polling Station Situated in a Penal Institution (other than a Maximum Security Prison) and Application for Consent to the Presence of Election Agent/Polling Agent in a Dedicated Polling Station Situated in a Penal Institution (other than a Maximum Security Prison)” **only when:**
- (a) within one week before the polling day, a voter/authorised representative (“AR”) of the subsector of the candidate, who was imprisoned or held in custody, is admitted or transferred to the penal institution, and such voter/AR is entitled to vote at the dedicated polling station situated in a penal institution; and
 - (b) the application is lodged without undue delay after the admission or transfer of the voter/AR to that penal institution.
- At least two clear working days before the deadline of posting postage-free election mails
25. When wishing to use postage-free to post election mails, fill in and submit the “Notice of Posting Free Postage Election Mail” in duplicate together with three specimens of unsealed election mail to the designated manager(s) of Hongkong Post for inspection and approval.

- Before the deadline as specified by Hongkong Post
26. When posting the postage-free election mails at the designated post offices specified by Hongkong Post, submit the “Declaration for Posting Free Postage Election Mail” in duplicate and furnish a copy of the election mail to the designated manager(s) of Hongkong Post for record purpose.

Note: Election mails posted after the deadline are unlikely to be delivered to the voters/ARs before the polling day.

- Before entering the polling/counting station
27. Complete the “Declaration of Secrecy” (such declaration should be made by all candidates, election agents, polling agents and counting agents).

- Any time before the polling day
28. Lodge with the CEO or ROs the “Notice of Revocation of Appointment of Agent”, if required.

- On the polling day
29. If candidates or election agents wish to submit the “Notice of Appointment of Polling Agents for a Polling Station Not Situated in a Penal Institution”, the “Notice of Appointment of Counting Agents” or the “Notice of Revocation of Appointment of Agent”, they should submit them in person to the relevant Presiding Officers (“PROs”) (except for penal institutions) or the relevant ROs at the central counting station (if applicable).

- Within three working days after the polling day
30. If required, upload the corrected EA particulars to the Candidate’s Platform or the Central Platform; or submit the “Notification of Corrected Information in relation to Election Advertisements” to the ROs.

- Within ten days after the polling day
31. Remove all EAs displayed on government land/property.

Note: EAs displayed on private land/property and public service vehicles should also be removed as soon as possible after the election.

- Within two weeks after the polling day
32. Destroy the CMLS USB flash drives, unused mailing labels (if any), and all copies of voters' information (it is advised to use a data erasure software to erase the information completely), **and** return the "Reply Slip on Confirmation of Destruction of CMLS USB flash drives and the Relevant Voters' Information" to the REO or return the CMLS USB flash drives and unused mailing labels to the REO for destruction.
- After the publication of the interim register of members of the Election Committee, but not later than seven days before the publication of the final register of members of the Election Committee
33. Submit the duly signed written Election Committee Oath to the Electoral Registration Officer.
- Before the statutory deadline for lodging the Return and Declaration of Election Expenses and Election Donations ("election returns") as required under section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) ("ECICO")
34. (a) Lodge with the CEO an election return;
- Note:** Candidates are required to submit an election return even if they are returned uncontested, are not elected, have not incurred any election expenses or have not received any election donations.
- (b) Candidates should ensure that the election return is accompanied by an invoice and a receipt for each election expense of \$500 or more, copies of receipts issued to donors for each election donation of more than \$1,000 in value, and copies of receipts issued by charitable institutions or trusts of a public character for the receipt of the unspent election donations, anonymous donations of more than \$1,000 in value and election donations exceeding the limit of election expenses (see Chapter 16 of the "Guidelines on Election-related Activities in respect of the Election Committee Subsector Elections");
- (The REO will issue letters to inform candidates of the deadline for lodging the election returns)

- (c) Candidates must verify the contents of the election return and sign the declaration/supplementary declaration(s) in that return;
- (d) Any candidate who fails to lodge the election return before the deadline commits an offence. Those who are unable to lodge the election return before the deadline may apply to the Court of First Instance (“CFI”) for an order allowing him to lodge at an extended deadline;
- (e) If a candidate wishes to make amendments to the submitted election return before the deadline, he may lodge with the CEO before the deadline a supplementary declaration stating the amendments, with attachment of the relevant supporting documents (if appropriate), such as receipts; and
- (f) If a candidate wishes to correct any error or false statement in the election return (including any document accompanying the election return) after the deadline, he must apply to the CFI for an order allowing him to do so. (Except the case where the aggregate amount of value involved in the error or false statement in the election return does not exceed the limit (i.e. \$5,000) of the relief arrangement for Election Committee subsector elections as prescribed in section 37A of the ECICO, and the candidate, upon receipt of notification from the CEO, rectifies the error or false statement in the election return within a specified period) (see Part V of Chapter 16 of the “Guidelines on Election-related Activities in respect of the Election Committee Subsector Elections”).

Until the end of the period for which election returns are available for public inspection under section 41 of the ECICO

35. If hyperlinks to EAs have been uploaded to the Central Platform, ensure that the hyperlinks remain validly and operating throughout the whole public inspection period.
36. Maintain the Candidate's Platform (if applicable) for public inspection.

Note:

Most of the forms mentioned in this checklist can be downloaded from the REO website (www.reo.gov.hk).

(This “Action Checklist for Candidates” is for reference only. Candidates should refer to the “Action Checklist for Candidates” included in the Candidate Folder for the respective Election Committee subsector ordinary elections/by-elections, as well as the notification issued by the REO regarding the election from time to time.)