

Legislative Council Election
Action Checklist for Candidates

<u>Time</u>	<u>Action</u>
Before and during Nomination Period	1. Obtain the following from the Returning Officer (“RO”), any District Office (“DO”) of the Home Affairs Department or the Registration and Electoral Office (“REO”): (a) Nomination Form; (b) Electronic or paper form for Introduction to Candidates (“Input Form”) for the production of printed and text versions of the “Introduction to Candidates” and the “Guide on Completion of Input Form”; (c) the form of “Request by a Candidate for a Legislative Council Geographical Constituency, a Legislative Council Functional Constituency or a District Council Geographical Constituency to Print Particulars relating to the Candidate on a Ballot Paper” (Not applicable to candidates in the Election Committee Constituency (“ECC”)); (d) the form of “Consent Form of a Prescribed Body in relation to the Request by a Candidate to Print its Particulars as Particulars relating to the Candidate on a Ballot Paper” (Not applicable to candidates in the ECC); and (e) 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 in cash or by cashier order or crossed cheque made payable to “The Government of the Hong Kong Special

Administrative Region” or via the Faster Payment System (“FPS”) using “Scan to Pay”.

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 FPS transaction will be unsuccessful, resulting in the nomination form not being accepted.

In order to avoid the risk of invalidation of the nomination due to dishonoured cheques or insufficient transaction limit of “Scan to Pay” payments, candidates should submit the election deposit in cash or cashier order as far as practicable.

3. Apply to Hongkong Post for written approval of the election mail specimens for free postage. Candidates should:
 - (a) carefully study the requirements governing free postage for election mail before deciding on the contents of their election mail and seek advice from Hongkong Post or the REO if in doubt; and
 - (b) to submit their election mail specimens to Hongkong Post for written approval as early as possible to allow sufficient time for revising the contents of their election mail specimens when necessary.
4. Upon successful submission of the nomination form, candidate will receive a Candidate Folder containing various forms and reference materials for use by candidate.

5. Lodge with the RO a “Notice of Withdrawal of Candidature” personally before the end of nomination period if the candidate wishes to withdraw his candidature.
- Any time before, during or after handing in Nomination Form
6. Publication of Election Advertisement (“EA”)
 - (a) Ensure that all printed EAs contain the name or 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 maintain a Candidate’s Platform for public inspection should provide the Chief Electoral Officer (“CEO”) with the electronic address 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.
 - (ii) Candidates who choose to use the 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”.
 - (d) Make available a copy of each of the EAs and relevant information/documents, including publication information, permission/consent of support, in any of the following ways for public inspection **within three working days after the publication of the EA** by:
 - (i) posting an electronic copy onto the Central Platform;
 - (ii) posting an electronic copy onto 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 public platform may be provided;

- (iii) providing two hardcopies of each of the EAs and one hardcopy of information/documents in relation to the EA to the RO (or CEO if RO has not yet been appointed); or
- (iv) providing two identical copies of a CD-ROM or DVD-ROM each containing the EAs and one hardcopy of information/documents in relation to the EA to the RO (or CEO if RO has not yet been appointed).

7. Incurring Election Expenses and Receiving Election Donations:

- (a) Record details of all election expenses incurred and all election donations received.
- (b) Keep original invoices and receipts for all election expenses of goods or services of \$500 or above.
- (c) Issue a receipt to the donor for any non-anonymous election donation of more than \$1,000 and keep a copy of the receipt. (Candidates may use the “Standard Receipt for Election Donations” provided by the REO.)
- (d) Submit to the CEO an “Advance Return and Declaration of Election Donations” when an

election donation is received, if required.

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| Any time before handing in Nomination Form till the end of the election period | <p>8. Appointment of Election Expense Agent(s):</p> <ul style="list-style-type: none"> (a) Lodge with the RO (or the CEO if the RO has not yet been appointed) “Authorisation to Incur Election Expenses”. (b) Each candidate may authorise one person or more as the election expense agents. A candidate may also authorise his 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). (c) An election expense agent must be a person who has attained the age of 18 years. |
| Any time after handing in Nomination Form | <p>9. Appointment of Election Agent:</p> <ul style="list-style-type: none"> (a) Lodge with the RO a “Notice of Appointment of Election Agent”. (b) Each candidate can only appoint one election agent. An election agent cannot act on behalf of the candidate : <ul style="list-style-type: none"> (i) to sign the nomination form or make any declaration or oath required; (ii) to withdraw the candidate’s candidature; (iii) to incur election expenses (unless 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. |

- (c) An election agent must be a holder of the Hong Kong Identity Card and has attained the age of 18 years.
- Any time after handing in Nomination Form, but before the end of the Nomination Period
10. (a) If a candidate wishes to use the “Introduction to Candidates” for promotion, he/she should:
- (i) send the completed Part I and/or Part II of the electronic version of “Input Form for Introduction to Candidates” (website : www.reo-form.gov.hk/) by e-mail to e-intro_to_can@reo.gov.hk, upload to the REO’s e-form upload platform before the end of nomination period; or
 - (ii) lodge with the RO a duly completed paper 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 the candidate’s name label affixed on the back; or
 - (iii) Note: For a candidate who submits the paper Input Form, please input the plain text message under the box of “Electoral Message” in Part I or Part II of the e-Input Form and submit the completed form in the manner mentioned in item (i) above.
(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”).
- (b) Lodge with the RO the form “Intention to Display Election Advertisements at Designated Spots”.
- (c) (Not applicable to candidates in the ECC) If a

candidate wishes to have his photo and particulars printed on a ballot paper, he should:

- (i) lodge with the RO a duly completed form of “Request by a Candidate for a Legislative Council Geographical Constituency, a Legislative Council Functional Constituency or a District Council Geographical Constituency to Print Particulars relating to the Candidate on a Ballot Paper” affixed with a colour photo of the candidate which must be in specified size and taken within the last six months or submit an electronic version of the form to the REO;
- (ii) provide an additional copy of his photo identical to the one affixed to the form with a label showing the candidate’s name and the name of the GC or FC affixed on the back (not applicable to the electronic version of the form); and
- (iii) lodge with the RO the duly completed form(s) of “Consent Form of a Prescribed Body in relation to the Request by a Candidate to Print its Particulars as Particulars relating to the Candidate on a Ballot Paper” or request the prescribed body/bodies to submit an electronic version of the form to the REO.

(If a candidate does not submit the duly completed form(s) of request and consent, if applicable, only his name and candidate number will be printed on a ballot paper.)

Any time after
handing in
Nomination
Form, but not
later than three

11. Make a request to the CEO for the provision of a set of mailing labels containing electors’ information and/or a set of “Candidate Mailing Label System” (“CMLS”) USB flash drives containing information of electors in the constituency (must submit together with

weeks before the polling day		the “Undertaking on the Use of Electors’ Information”).
		(Note: Relevant electors’ information will only be provided to validly nominated candidates. To protect the environment and respect the preferences of the electors, the CEO will not provide mailing labels of electors 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 the polling day	12.	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)”.
	13.	Lodge with the CEO the “Notice of Appointment of Polling Agents for a Polling Station Not Situated in a Penal Institution”.
	14.	Lodge with the CEO the “Notice of Appointment of Counting Agents”.
Around five-ten working days after the end of the Nomination Period	15.	Attend the lots drawing session held by the RO for the electoral constituency to determine the order of candidate names on the ballot paper and the designated spots allocated for the display of EAs.
	16.	Receive from the RO the permission/authorisation for the display of EAs at designated spots allocated to the candidate.
After the Lots Drawing Session	17.	Check the ballot paper printing proof (Not applicable to candidates in the ECC) and verify the particulars relating to the candidate to be printed on the ballot paper. If a candidate or his election agent cannot perform the checking in person, the candidate may authorise a representative in writing to check the particulars concerned on the ballot paper printing proof on his behalf. (If a candidate or his election agent/authorised representative does not perform the checking at the

date and venue specified by the REO, the printing proof of the ballot paper will be adopted for printing without further notice.)

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| Ten working days after the end of the Nomination Period | 18. | Receive information from the RO about the election agents appointed by other candidates of the same constituency. |
| 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 in the same constituency.) |
| | 20. | Validly nominated candidates attend the candidates' briefing session. |
| Around 14 days after the end of the Nomination Period | 21. | Before the deadline specified by the REO, upload the electronic Input Form for "Introduction to Candidates" (available on the website) completed by text input to the designated e-form upload platform, for REO to upload the text version of "Introduction to Candidates" onto the dedicated election website.
(If a candidate fails to submit the electronic text version by the said deadline, the said website will only display the graphic version of his/her "Introduction to Candidates", and the text version will show only the candidate's name, personal information (if provided in the Input Form for "Introduction to Candidates"), and candidate number, with a note stating that the candidate has not provided the text version of his/her electoral message.) |
| At least ten days before the polling day | 22. | Receive notification from the RO of the time and place for the counting of votes. |
| Not later than seven days before the polling day | 23. | Receive from the RO information regarding the delineation of the no canvassing zones and no staying zones for the polling stations (including the dedicated polling stations). |

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| During the week before the polling day | 24. | <p>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:</p> <p>(a) during the week before the polling day, an elector imprisoned or held in custody who is entitled to vote for the relevant constituency at the aforesaid dedicated polling station situated in a penal institution is admitted or transferred to the penal institution; and</p> <p>(b) the application is lodged without undue delay.</p> |
| At least two clear working days before the deadline of posting postage-free election mail | 25. | <p>Notify Hongkong Post of the date of posting the postage-free election mail by submitting two copies of the “Notice of Posting of Election Mail”, and submit three specimens of unsealed election mail to the designated manager(s) of Hongkong Post for inspection and approval.</p> |
| Before the deadline as specified by Hongkong Post | 26. | <p>When posting the postage-free election mail at the designated post office specified by Hongkong Post, present two copies of the “Declaration for Posting of Election Mail” to Hongkong Post. Furnish a copy of the election mail to the designated manager(s) of Hongkong Post for record purpose.</p> <p>(Note: Election mail sent after the deadline are unlikely to be delivered to the electors before the polling day.)</p> |
| Before entering the polling station or counting station | 27. | <p>Complete the “Declaration of Secrecy” (a declaration of secrecy should be made by all candidates, their election agents, polling agents and counting agents).</p> |
| Any time before the polling day | 28. | <p>Lodge with the CEO or RO, as applicable, the “Notice of Revocation of Appointment of Agent”.</p> |
| On the polling day | 29. | <p>If candidates and their agents wish to submit the “Notice of Appointment of Polling Agents for a</p> |

Polling Station Not Situated in a Penal Institution”, the “Notice of Appointment of Counting Agents” or the “Notice of Revocation of Appointment of Agent” on the polling day, they should submit them in person to the relevant Presiding Officers (“PRO”) (except for penal institutions) or the RO at the central counting station (if applicable).

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| Within three working days after the polling day | 30. | If required, post the corrected EA particulars onto the Candidate’s Platform or the Central Platform; or submit the “Notification of Corrected Information in relation to Election Advertisements” to the RO. |
| Within ten days after the polling day | 31. | Remove all EAs on display on government land/property.

(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 electors’ information copied (candidates are advised to use a data erasure software to erase the information completely), <u>and</u> return the “Reply Slip on Confirmation of Destruction of CMLS USB Flash Drives and the Relevant Electors’ Information” to the REO or return the CMLS USB flash drives and unused mailing labels to REO for destruction. |
| Before the statutory deadline for the submission of election returns as required under s 37 of the ECICO | 33. | <p>(a) Lodge with the CEO an “Return and Declaration of Election Expenses and Election Donations” (“election return”).</p> <p><u>Note:</u> Candidates are required to submit an election return even if no election expenses have been incurred or no election donation has been received.</p> |
| (The REO will issue letters to inform candidates of the deadline for lodging election returns) | (b) | As required by the law, candidates should ensure that the election return is accompanied by invoices and receipts 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 collection of any unspent election donations, anonymous donations of more than \$1,000 in value and election donations exceeding the limit of election expenses (see Chapter 17 of the Guidelines for details).

- (c) Candidates must verify the contents of the election return and sign the declaration/supplementary declaration(s) in the election return.
- (d) Any candidate who fails to lodge the election return before the deadline commits an offence. Those who are unable to submit the election return on time may apply to the CFI for an order allowing an extension of the submission deadline.
- (e) Any candidate who has submitted an election return and wishes to make amendments to the election return before the deadline may lodge with the CEO before the deadline a supplementary declaration stating the amendments and the relevant supporting documents (e.g. receipts) as appropriate.
- (f) Any candidate who wishes to correct any error or false statement in his election return (including any document accompanying his election return) after the deadline must apply to the CFI for an order allowing him to do so. (Nevertheless, if the aggregate value of the error or false statement in the election return does not exceed the prescribed relief limit for election as stipulated in s 37A of the ECICO, the candidate may, upon receipt of notification from the CEO, rectify the error or false statement in the election return within a specified period) (see Chapter 17, Part V of the Guidelines).

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| | <p>34. Eligible candidates who wish to apply for financial assistance should complete a “Claim for Financial Assistance”. The completed form, together with the candidate’s election return and an auditor’s report should be presented to the CEO before the statutory deadline for submission of election return.</p> |
| <p>Until the end of the period for which copies of election returns are available for public inspection under s 41 of the ECICO</p> | <p>35. If hyperlinks to EAs are uploaded onto the Central Platform, ensure that the hyperlinks remain valid and operate throughout the public inspection period.</p> <p>Maintain the candidate's platform (if applicable) for public inspection.</p> |

Note:

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

(This “Action Checklist for Candidates” is for general reference only. Candidates are advised to refer to the Action Checklist which will be included in the Candidate Folder for the respective LC general election/by-election, as well as the notification issued by the REO regarding the election from time to time.)