

## **Message from the Chairman**

### **The Proposed Guidelines on Election-related Activities in respect of the Legislative Council Election for Public Consultation**

The 2025 Legislative Council General Election (“2025 LCGE”) will be held on 7 December 2025. The Electoral Affairs Commission (“EAC”) is empowered under section 6(1)(a) of the Electoral Affairs Commission Ordinance (“EACO”) (Cap. 541) to issue guidelines to facilitate the conduct and supervision of an election. These guidelines aim to explain in simple language the provisions under current electoral legislation with a view to reminding candidates and other relevant persons of the regulations and requirements of the electoral legislation; and to promulgate a code of conduct based on the fair and equal treatment principles in respect of election-related activities which are not covered by the legislation.

The EAC has at all times made its best endeavours to refine and improve the electoral arrangements for public elections. To this end, the EAC has drawn up a new set of the proposed guidelines for the 2025 LCGE and all Legislative Council (“LegCo”) by-elections that may be held afterwards. The proposed guidelines are prepared on the basis of the existing guidelines for the LegCo Election (October 2021 edition) with the following major changes:

- (a) reflect the relevant amendments to the subsidiary legislation under the EACO and other legislation in relation to electoral matters, including the vote counting procedures for the LegCo Functional Constituencies election if electronic counting arrangements are adopted;

- (b) reflect the latest electoral arrangements by making use of information technology to make the arrangements more convenient, reliable and user-friendly. These include, among others, enabling voters, via “iAM Smart”, to enquire about their particulars as registered voters and logging on to the Online Voter Information Enquiry System to check their allocated polling stations and other polling information. Candidates can also use the Faster Payment System (“FPS”) to pay election deposit, and submit information on the Introduction to Candidates and other forms through electronic means;
- (c) further elaborate the contents of the guidelines to enable candidates and relevant persons to more easily grasp the areas which they should pay attention to, such as adding real example to illustrate how to make proper use of voters’ information, adding the “Frequently Asked Questions & Answers for Completing the Election Return”, etc.; and
- (d) by making reference to the guidelines on election-related activities issued by the EAC for the 2022 Chief Executive Election, the 2023 Rural Representative Election and the 2023 District Council Ordinary Election, revise where appropriate the proposed guidelines with a view to bringing it in line with the above-mentioned guidelines on election-related activities.

In addition, to enable the public to better understand the requirements of the relevant electoral legislation and the code of conduct formulated by the EAC for the conduct of election-related activities, we have also enhanced the proposed guidelines by, for example, removing obsolete or repetitive content, explaining the relevant electoral arrangements in the form of lists and flowchart, consolidating the contents of the chapters, etc., with a view to making the proposed guidelines more concise and easy to comprehend and thereby enhancing the public’s reading experience.

The major changes proposed, as compared with the existing LegCo guidelines, are set out in the **Appendix**.

Before finalising and publishing the guidelines, we shall, in accordance with section 6(2) of the EACO, consult the public on the proposed guidelines for a period of 30 days from **3 July to 1 August 2025**, both dates inclusive. At this stage, the EAC has not made any decision with respect to the issues addressed in the proposed guidelines (except for those under the requirements of the relevant legislation). The EAC will make a final decision in the light of the responses received in this consultation exercise.

During the public consultation period, members of the public may make written representations on the proposed guidelines which could be sent to the EAC Secretariat at 8/F, Treasury Building, 3 Tonkin Street West, Cheung Sha Wan, Kowloon by post, by facsimile transmission (fax no.: 2511 1682) or e-mail (eacenq@eac.hk). For written representations submitted by post, **the postmark date will be taken as the submission date. Late submissions will not be considered.** Members of the public may also make oral representations to the EAC at the public forum on the proposed guidelines to be held at the School Hall, 4/F, Kowloon Tong Government Primary School, 6 Tim Fuk Road, Kowloon Tong **from 7:00 pm to 9:00 pm on 18 July 2025 (Friday)**. For enquiries, please contact the EAC Secretariat at 3847 7891.

Members of the public may make oral representations at the public forum. However, due to the limited time thereof, written representations are suggested if members of the public wish to make detailed representations.

The EAC has always made its best endeavours to ensure that all public elections are held in an open, honest and fair manner.

Formulating electoral guidelines plays an important role in the conduct of the 2025 LCGE. The EAC wishes members of the public could actively participate.

All written representations will be treated as open information for public perusal unless otherwise specified. If you wish to keep your name or views confidential, please indicate so clearly in your representations.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'David Lok', with a stylized, flowing script.

(David Lok)

Chairman

Electoral Affairs Commission

(With enclosure)

**Major Changes in the Proposed Guidelines  
on Election-related Activities in respect of  
the Legislative Council Election  
as Compared with the Guidelines Issued in October 2021**

<b>Relevant Chapter</b>	<b>Major Changes</b>
<b>Chapter 1</b> <i>Introduction</i>	<ul style="list-style-type: none"><li>● Illustrating with a diagram the composition of the 90 seats of the Legislative Council (“LegCo”) as set out in Annex II to the Basic Law (<b>para. 1.3</b>); and</li><li>● Reminding candidates that they should also refer to the Action Checklist for Candidates issued by the Registration and Electoral Office (“REO”) (<b>para. 1.11</b>).</li></ul>
<b>Chapter 2</b> <i>Composition, Registration of Electors And Voting System For Geographical Constituencies</i>  <i>and</i> <b>Chapter 3</b> <i>Composition, Registration of Electors And Voting System For Functional Constituencies</i>  <i>and</i>	<ul style="list-style-type: none"><li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li><li>● Reflecting the arrangements for enquiry of electors’ information through “iAMSmart” (<b>paras. 2.16, 3.22 and 4.6</b>);</li><li>● Using a table to illustrate the corresponding arrangements to be adopted under s 46 of the Legislative Council Ordinance (“LCO”) (Cap. 542) in the event that the number of validly nominated candidates of Geographical Constituencies (“GC”), Functional Constituencies (“FC”) and Election Committee Constituency (“ECC”) is the same as/different from the number of the LegCo Members to be returned (<b>paras. 2.22, 3.28 and 4.7</b>);</li></ul>

Relevant Chapter	Major Changes
<p><b>Chapter 4</b>  <i>Composition,  Eligibility To Vote  And Voting System  for The Election  Committee  Constituency</i></p>	<ul style="list-style-type: none"> <li>● Illustrating with flowcharts the arrangements of drawing of lots for determining the results of GC, FC and ECC elections as set out under ss 49(4), 51(6) and 52A(7) of the LCO (<b>paras. 2.24, 3.30 and 4.10</b>);</li> <li>● Using a table to illustrate the corresponding arrangements under the LCO and the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (“EAC(EP)(LC) Reg”) (Cap. 541D) in the event of death or disqualification of a candidate in respect of GC, FC and ECC (<b>paras. 2.26, 3.32 and 4.12</b>);</li> <li>● Including “has been convicted of an offence endangering national security” as one of the grounds for disqualifying a member of the EC from voting at an election for the ECC under the Safeguarding National Security Ordinance which came into effect on 23 March 2024 (<b>para. 4.5(d)</b>); and</li> <li>● Using a table to illustrate the conditions to be satisfied for the valid ballot papers and the candidates to be returned in the ECC election under s 52A of the LCO (<b>para. 4.8</b>).</li> </ul>
<p><b>Chapter 5</b>  <i>Nomination of  Candidates</i></p>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content, and using a table to illustrate the eligibility for nomination in the LegCo election (<b>para. 5.3</b>) and the nomination threshold (<b>para. 5.9</b>), with a view to making the content more concise and easy to understand;</li> <li>● Including “has been convicted of an offence endangering national security” as one of the grounds for disqualifying a person from being</li> </ul>

Relevant Chapter	Major Changes
	<p>nominated as a candidate and from being returned as a member of the LegCo under the Safeguarding National Security Ordinance which came into effect on 23 March 2024 (<b>para. 5.5(d)</b>);</p> <ul style="list-style-type: none"> <li>● Including the payment method of election deposit by means of Faster Payment System (“FPS”), and reminding candidates that they should pay attention to the transfer limit of their bank accounts and retain the original receipt of the election deposit (<b>para. 5.26</b>); and</li> <li>● Including a guideline on electronic submission of information for the Introduction to Candidates and encouraging candidates to use the electronic form so as to facilitate production of a text version of the Introduction to Candidates which is readable by visually impaired electors on computers or smart phones (<b>paras. 5.54 and 5.55</b>).</li> </ul>
<p><b>Chapter 6</b>  <i>Polling And Counting Arrangements</i></p>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● Setting out the new arrangement that other than poll cards, electors could log on to the Online Voter Information Enquiry System (<a href="http://www.voterinfo.gov.hk">www.voterinfo.gov.hk</a>) to check their allocated polling stations and relevant polling information (<b>para. 6.13</b>);</li> <li>● Setting out the vote counting procedures for the LegCo FC election if electronic counting arrangements are adopted (<b>para. 6.97</b>); and</li> <li>● Updating the circumstances under which a FC ballot paper is invalid pursuant to the amendments</li> </ul>

Relevant Chapter	Major Changes
	to the EAC(EP)(LC) Reg in May 2025 ( <b>para. 6.99(e)</b> ).
<b>Chapter 8</b> <i>Appointment And Roles Of Election Agents, Election Expense Agents, Polling Agents And Counting Agents</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand.</li> </ul>
<b>Chapter 9 and Appendix 6</b> <i>Election Advertisements</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● Revising the deadline for candidates to upload or submit the relevant documents and information after the publication of Election Advertisements (“EAs”) for public inspection (<b>paras. 9.2 and 9.45, and Appendix 6</b>);</li> <li>● Reminding candidates that they should notify the owners or occupiers of private land/properties concerned and the owners or managers of public service vehicles to arrange removal of all EAs as soon as possible after the election, so as to avoid misunderstanding or complaints from the public due to display of outdated EAs (<b>para. 9.39</b>); and</li> <li>● Including the prohibition under the Safeguarding National Security Ordinance which came into effect on 23 March 2024 that anything the publication of which would constitute an offence endangering national security shall not be contained in the election mails sent free of postage (<b>para. 9.62(g)</b>).</li> </ul>



Relevant Chapter	Major Changes
<b>Chapter 10 and Appendix 10</b> <i>Electioneering Activities in Buildings Where Electors Reside, Work Or Frequent</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● Including the Light Public Housing managed by the Housing Bureau within the scope of the specific guidelines that candidates should observe when conducting electioneering activities in public housing estates (<b>para. 10.13 and Appendix 10</b>); and</li> <li>● On the protection of personal data, including a complaint case on the misuse of electors' email addresses after an election with a view to reminding candidates that the information of electors (including electors' email addresses) obtained from REO shall only be used for purposes related to electioneering activities for that election concerned (<b>para. 10.16</b>).</li> </ul>
<b>Chapter 11 and Appendix 10</b> <i>Election Meetings</i>	<ul style="list-style-type: none"> <li>● Including the Light Public Housing within the scope of the specific guidelines that candidate should observe when conducting election meetings in public housing estates (<b>para. 11.21 and Appendix 10</b>); and</li> <li>● Illustrating specifically that if candidate wishes to raise funds for non-charitable purposes (including election-related purposes) at electioneering activities or election meetings held in public places, they should first apply to the Secretary for Home and Youth Affairs (<b>para. 11.22</b>).</li> </ul>

Relevant Chapter	Major Changes
<b>Chapter 12</b> <i>Election Broadcasting, Media Reporting And Election Forums</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand; and</li> <li>● Reminding the media that they should not announce the results of exit polls or make specific comments or predictions on the performance of individual candidates before the close of poll, so as to avoid undue influence on electors' voting behavior (<b>para. 12.5</b>).</li> </ul>
<b>Chapter 13</b> <i>Use Of Sound Amplifying Device And Vehicles</i>	<ul style="list-style-type: none"> <li>● Reminding candidates and their supporters that when using sound amplifying device for electioneering activities, they should stay away from locations with audible signaling facilities so as not to cause interference with the audible signals generated by those facilities and undermine the travel safety of the visually impaired persons (<b>para. 13.5</b>).</li> </ul>
<b>Chapter 17 and Appendix 18</b> <i>Election Expenses And Election Donations</i>	<ul style="list-style-type: none"> <li>● Setting out in point form the definitions of candidate, election expense and election donation under s 2 of the Elections (Corrupt and Illegal Conduct) Ordinance ("ECICO") (Cap. 554) with a view to making the content more concise and easy to understand (<b>para. 17.5</b>);</li> <li>● Using a table to illustrate the principles for reporting election donations in the form of payment in kind so as to make the content more concise and easy to understand (<b>para. 17.21</b>); and</li> <li>● Adding "Frequently Asked Questions &amp; Answers for Completing the Election Return" to facilitate candidates for completing election returns, in view of the fact that candidates were more prone to confusion in do so in the past (<b>Appendix 18</b>).</li> </ul>

Relevant Chapter	Major Changes
<b>Chapter 18</b> <i>Corrupt And Illegal Conduct</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand; and</li> <li>● Adding a court case to reiterate to candidates that the court shall impose severe penalties on persons who commit corrupt or illegal conduct at an election, so as to safeguard the fairness and impartiality of the election (<b>para. 18.24</b>).</li> </ul>
<b>Chapter 19</b> <i>Namedropping</i>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● Reminding candidates that pursuant to s 26 of the Personal Data (Privacy) Ordinance (Cap. 486), they should take all practicable steps to erase personal data which are no longer required for the purpose for which the personal data are to be used (<b>para. 19.12</b>); and</li> <li>● Reminding candidates that if a supporter is under the age of 18, for prudence's sake, the candidate should arrange for the supporter's parent or guardian to countersign the consent form (<b>para. 19.15</b>).</li> </ul>

Relevant Chapter	Major Changes
<p><b>Chapter 20</b>  <i>Participation Of Civil Servants, Non-Civil Service Government Staff And Politically Appointed Officials In Election-related Activities And Attendance Of Public Functions With Candidates</i></p>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● Specifying that the guidelines on participating in electioneering activities and attending public functions with candidates in this chapter are applicable to civil servants, non-civil service government staff and politically appointed officials (<b>paras. 20.1 to 20.5</b>).</li> </ul>
<p><b>Chapter 21</b>  <i>Complaints Procedure</i></p>	<ul style="list-style-type: none"> <li>● Reorganising where appropriate the chapter structure and content to make the content more concise and easy to understand;</li> <li>● To handle complaints more efficiently, including a new recommendation to complainants on using the designated complaint form available on the EAC website (<b>para. 21.7</b>); and</li> <li>● Reminding complainants that they should reveal their identity and provide their correspondence address, email address, telephone number of other means of contact, otherwise the EAC may not be able to inform the complainant of the relevant investigation result (<b>para. 21.8</b>).</li> </ul>