

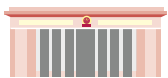


A Layman's Guide to the Improving Electoral System (Consolidated Amendments) Bill 2021



For details, please press the QR code
of the dedicated website

The Legal Basis and Process of Improving the Electoral System



11 March

The 13th National People's Congress (NPC) at its fourth session adopted Decision of the NPC on Improving the Electoral System of the HKSAR



30 March

The 13th NPC Standing Committee amended Annex I and Annex II to the Basic Law



14 April

HKSAR Government introduces the "Improving Electoral System (Consolidated Amendments) Bill 2021" into the LegCo

Polling Day

19 September 2021

✓ Election Committee Subsector Elections

19 December 2021

✓ Seventh Term LegCo Elections

27 March 2022

✓ Sixth Term Chief Executive Election

Reconstitution of the Election Committee (EC)



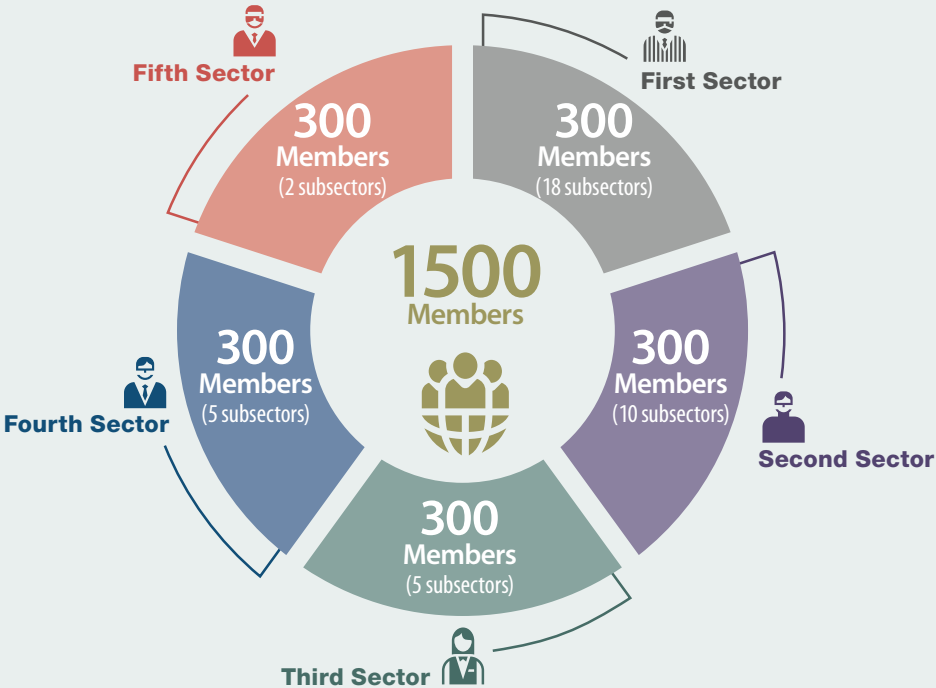
Functions

- Nominate and elect the Chief Executive
- Elect 40 Legislative Council (LegCo) members
- Nominate all LegCo election candidates



Size and Composition

- Increase from 1 200 members with 4 sectors to 1 500 members with 5 sectors



First Sector:

Industrial, commercial and financial sectors



Second Sector:

The professions



Third Sector:

Grassroots, labour, religious and other sectors



Fourth Sector:

Members of the Legislative Council, representatives of district organisations and other organisations



Fifth Sector:

HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, and representatives of Hong Kong members of relevant national organisations

Methods for Returning EC Members

- 1** Holders of the specified offices of the subsectors (i.e. specified persons) could be registered as the ex-officio members
 - e.g. LegCo members, HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, vice-chancellors or presidents of universities, and persons in charge of certain statutory or important organisations, etc.
- 2** Nominated by the designated bodies of the subsectors
 - e.g. Religious Subsector, Hong Kong academicians of the Chinese Academy of Sciences and the Chinese Academy of Engineering in Technology and Innovation Subsector, etc.
- 3** Elected by eligible corporate or individual voters in the subsectors for the remaining seats
 - Each candidate shall be nominated by 5 voters in the respective subsector, who shall be a registered geographical constituency elector, and registered voter of the concerned subsector or who has a substantial connection with that subsector
 - EC subsectors will be elected by registered corporate or individual voters. Unless specified in the electoral law, an association or enterprise may become a corporate voter for a subsector only if it has been operating for not less than 3 years after acquiring relevant qualifications for that subsector

* For the lists of specified offices, designated bodies and eligible corporate or individual voters in each subsector, please refer to the Bill or the dedicated website.

Oath-taking requirement



All EC members need to take an oath, and comply with the legal requirements and conditions on upholding the Basic Law and swearing allegiance to the HKSAR. A mechanism to deal with situations where an EC Member breaches an oath is also introduced

The Term of the EC






The new term of the reconstituted EC will commence on 22 October 2021. The term of office shall be 5 years

Chief Executive Election

- A candidate shall be nominated by not less than 188 Members of the Election Committee, with at least 15 Members from each of the 5 sectors
- The 1 500 Members of the Election Committee shall elect the Chief Executive elect by secret ballot on a one person one vote basis. The Chief Executive elect shall obtain over 750 votes in the poll, and be appointed by the Central People's Government

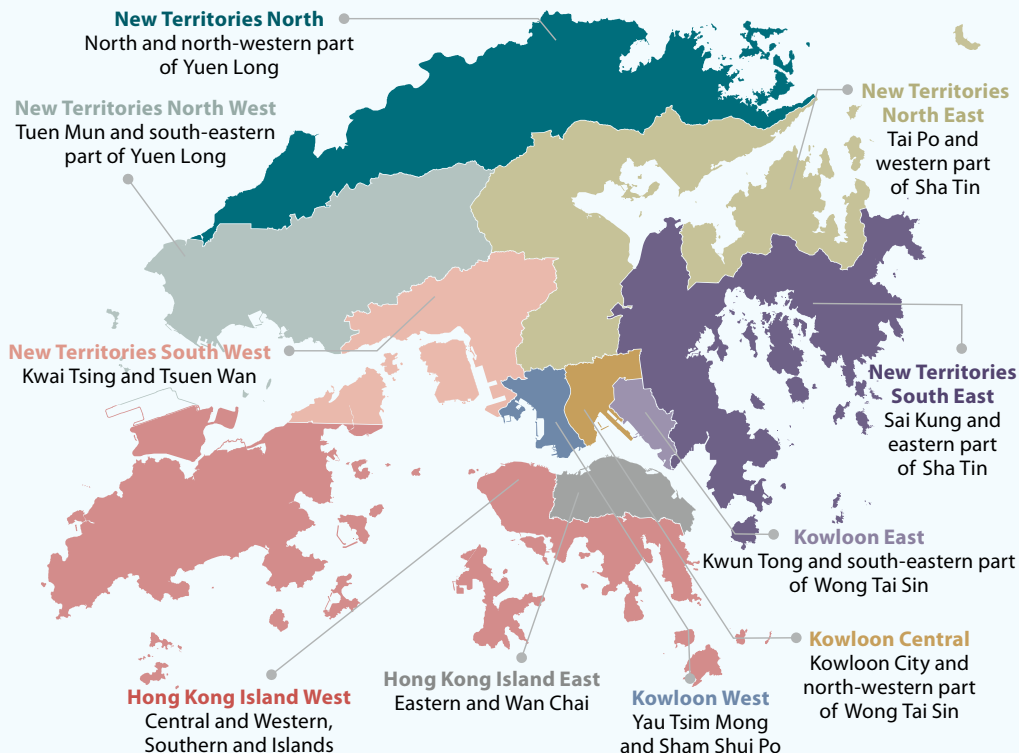
LegCo Elections

Formation Method		 Election Committee Constituency (40 seats)	 Functional Constituencies (30 seats)	 Geographical Constituencies (20 seats)
Who can run in the election?		All Registered Electors aged 21 or above (need not be EC Members) who have ordinarily resided in Hong Kong for 3 years immediately preceding the nomination	Registered Electors aged 21 or above who have ordinarily resided in Hong Kong for 3 years immediately preceding the nomination and Registered voters of the relevant FC or has a substantial connection with that FC	All Registered Electors aged 21 or above who have ordinarily resided in Hong Kong for 3 years immediately preceding the nomination
Nomination Threshold	Nominations from EC / relevant FC or GC	10-20	10-20	100-200
	Nominations from EC	2-4 from each of the 5 sectors	2-4 from each of the 5 sectors	2-4 from each of the 5 sectors
Electorate		1500 EC Members	Eligible individual and corporate electors*	All registered electors
Voting method		<ul style="list-style-type: none">■ Block Vote (each EC member must select 40 candidates)■ The 40 candidates who obtain the greatest number of votes shall be returned in the election	<ul style="list-style-type: none">■ Except the Labour FC shall continue to return 3 Members, all other constituencies shall return one member each.■ First-Past-the-Post	<ul style="list-style-type: none">■ Double Seats and Single Vote (each constituency returns 2 members, and each voter can vote for 1 candidate).■ The two candidates who obtain the greatest number of votes shall be returned in the election

*Unless specified in the electoral law, an association or enterprise may become a corporate elector for an FC only if it has been operating for not less than 3 years after acquiring relevant qualifications for that FC.



Delineation of 10 Geographical Constituencies



Voter Registration

Election Committee (EC)



Ex-officio Member

All eligible ex-officio Members are required to submit registration forms before 5 July



EC Members to be returned by nomination of designated bodies

The designated bodies are not required to register. They can nominate EC Members during nomination period








EC members to be returned by election (both corporate voters and individual voters)

All eligible voters, whether or not they are existing voters, are required to submit registration forms before 5 July

LegCo

Functional Constituencies (FCs)

- Electors who are affected due to changes in the composition and electorate of FCs may submit their registration before 5 July

 New FCs	<ul style="list-style-type: none">■ HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC and representatives of relevant national organisations	<ul style="list-style-type: none">■ Commercial (third)■ Technology and innovation
 Abolished FCs	<ul style="list-style-type: none">■ District Council (first)■ District Council (second)■ Information and technology	
 Combined FC	<ul style="list-style-type: none">■ Medical and health services (electorate shall include representatives of the Chinese Medicine sector)	
 FCs with eligibility revised	<ul style="list-style-type: none">■ Catering■ Sports, performing arts, culture and publication■ Medical and health services■ Agriculture and fisheries	<ul style="list-style-type: none">■ Transport■ Tourism■ Textile and garment■ Wholesale and retail■ Import and export
 FCs with individual voters abolished	<ul style="list-style-type: none">■ Catering■ Sports, performing arts, culture and publication■ Real estate and construction■ Commercial (second)	<ul style="list-style-type: none">■ Industrial (first)■ Financial services■ Textile and garment■ Wholesale and retail■ Import and export

Geographical Constituencies (GC)

- All eligible GC electors who want to vote in elections to be held in 2021, shall register before 2 May

Establishment of the Candidate Eligibility Review Committee

Composition

- Chairman and members of the Candidate Eligibility Review Committee shall be appointed by the Chief Executive.
- Only Principal Officials stipulated in Article 48(5) of Basic Law are eligible to be appointed

Terms of reference

- To assess and validate the eligibility of candidates in the Chief Executive, Election Committee and LegCo elections, including the legal requirement and conditions of “upholding the Basic Law and swearing allegiance to the HKSAR”

Enhancement measures in electoral arrangement

1

Amend the Elections (Corrupt and Illegal Conduct) Ordinance

In order to take measures in accordance with the law to regulate acts that manipulate or undermine elections, the Bill recommends that:



- Any person openly incites voters not to vote, to cast blank or invalid votes during an election period commits an illegal conduct
- Any person who willfully obstructs and prevents another person from voting at an election commits a corrupt conduct

2

Electronic poll register (EPR)



- To enhance efficiency and accuracy in the ballot paper issuance process, the Bill recommends the use of EPR in Election Committee Subsector and LegCo elections in 2021
- Electors to provide identity document to polling staff for identity verification by electronic device and ballot papers issuance. Paper recording process is no longer necessary

3

Inspection and compilation of the registers of electors



To strike a balance between ensuring a transparent mechanism for inspecting the registers of electors and protecting personal privacy, enhancement measures will be introduced for inspection and compilation of the registers of electors:

- Limiting inspection to the press, candidates and political parties only
- Partially redact all electors' particulars on the registers of electors
- Extending the address proof to all new voter registration applications so as to increase public confidence in the voter registration mechanism

4

Special queue for electors in need in public elections



Presiding Officers shall set up a special queue for electors in need in public elections. Electors in need include:

- Electors who are 70 years old or above
- Pregnant women
- Persons who are likely to suffer severe physical pain or suffering when queuing to vote due to illness, injury or disability