

Islands District Council
Paper IDC 86/2015

Question on follow-up actions regarding vote-rigging cases in
District Council and Legislative Council Elections

With regard to the question raised by Ms YUNG Wing-sheung, member of the Islands District Council, the ICAC's reply is as follows:

It is the statutory duty of the Independent Commission Against Corruption (ICAC) to receive and consider complaints of any alleged or suspected offence under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554) (ECICO) and investigate such of those complaints as it considers practicable.

2. It is stipulated in section 16 of the ECICO that a person engages in corrupt conduct at an election if the person votes at the election knowing that he is not entitled to do so; or votes at the election after having knowingly or recklessly given false or misleading information (e.g. false residential address) to an electoral officer. In addition, a person commits an offence if he invites or induces another person to vote at the election knowing that the other person is not entitled to do so; or invites or induces another person to vote at the election knowing that the other person has given to an electoral officer information that was false or misleading. Members of the public should report any suspected offences under section 16 of the ECICO to the ICAC. The ICAC will follow up those reports in accordance with the law and established procedures.

3. Moreover, a person who knowingly or recklessly makes any false or incorrect statement in voter registration or reporting change of particulars, notwithstanding whether he subsequently votes at an election or not, commits an offence under the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap 541A). Any of such suspected offences should be reported to the Hong Kong Police Force (HKPF) which enforces the Regulation. For enquiries concerning the voter registration and qualifications for registration as a voter, members of the public should contact the Registration and Electoral Office (REO).

4. The ICAC has been striving to uphold clean and fair elections. Apart from enforcing the law impartially, we widely disseminate the clean election message through various channels to remind voters, candidates and election helpers to comply with the ECICO in conducting election-related activities. A comprehensive education and publicity campaign has been launched with components such as organising briefings on the ECICO, producing information booklets, a “Guidelines for Electors” leaflet and a “Clean Election Information Pack” to introduce the relevant legislation. Publicity efforts include staging roving exhibitions at all districts, launching TV and radio APIs, delivering the clean election message through mass media and social networking platforms, and setting up a dedicated website and an enquiry hotline.

5. The ICAC understands the public concern over suspected vote-rigging cases. To step up our education and publicity efforts, we have been working closely with the Constitutional and Mainland Affairs Bureau, the Electoral Affairs Commission, the REO and the HKPF to address the vote-rigging risk in the District Council Election. The ICAC started to launch publicity against vote-rigging offences under section 16 of the ECICO in tandem with the Government’s voter registration campaign in May 2015. So far, 300,000 promotion leaflets have been distributed through the REO and district offices of the Home Affairs Department to newly registered electors and those who have changed their particulars. Moreover, arrangements have been made to broadcast educational video clips in public vehicle compartments, government buildings, public facilities and on online platforms to elaborate the relevant legislations and urge voters not to engage in vote-rigging. We have also arranged for a mobile exhibition vehicle to shuttle through popular locations to spread the clean election message to the public.

Independent Commission Against Corruption
27 August 2015

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