

Support Clean Legislative Council Election

Reminder to Electors for Functional Constituencies

A: My friend asks me to furnish false information including false working experience and academic qualification to become a member of a specified body of the “AA” functional constituency (FC), so that I can get registered as an elector of this FC, and vote for him at the next Legislative Council (LegCo) Election for this FC.

- A should decline his friend’s request immediately since the above course of action may breach the law and will undermine the honesty and fairness of the election. In addition, according to section 16(1) of the Elections (Corrupt and Illegal Conduct) Ordinance, Cap. 554 (ECICO), it is an offence for a person to vote at an election knowing that he/she is not entitled to do so.
- It is also an offence under section 16(2) of the ECICO if a person invites or induces another person to vote at a FC election knowing that the latter is not entitled to do so.

B: Some years ago I was registered as an elector of the “BB” FC through my membership with a specified body. However, I quitted the industry three years ago and am no longer a member of the specified body. Despite knowing such facts, someone persuades me to vote for him at the next LegCo Election for this FC.

- According to section 53(1)(b) of the Legislative Council Ordinance, Cap. 542, a person who has ceased to be eligible to be registered as an elector for the relevant FC is disqualified from voting at the relevant FC election.
- Any person who votes at the election knowing that he/she is not entitled to do so will commit an offence under section 16(1) of the ECICO. If B has been registered as an elector for an FC by virtue of his membership with a specified body for the FC as stipulated under the law, and for whatever

reason he has lost his membership with the specified body, he will be disqualified from voting in that FC and is no longer eligible to vote at an election of that FC even though his registration particulars might still remain in the final register of electors in respect of the FC.

- It is also an offence under section 16(2) of the ECICO if a person invites or induces B to vote at the election knowing that the latter is not entitled to do so.

Anyone who comes across the above situations should lodge a report with the ICAC immediately.

The maximum penalty for contravening the ECICO is a fine of \$500,000 and imprisonment for 7 years.

Moreover, anyone knowingly or recklessly provides false information to the Registration and Electoral Office (REO) for voter registration will contravene the relevant Electoral Affairs Commission Regulations. As such, when a person applies for registration as an elector in the LegCo FC or reports changes in the registration particulars, he/she must provide the REO with true and correct information. When the status of an elector's membership with a specified body of an FC has changed, he/she should notify the REO as soon as possible for updating. If a person has doubt about his/her eligibility to be registered as an elector, please contact the REO at 2891 1001 for enquiry.

Clean Election Enquiry Hotline: 2920 7878

24-hour Report Corruption Hotline: 2526 6366

REO's Enquiry Hotline: 2891 1001

Clean Election Website: www.icac.org.hk/elections



(In case of doubt about the relevant laws, please seek legal advice.)