

Comparative Study of Electoral Systems Module 4: Macro Report

September 10, 2012

Country: [Hong Kong Special Administrative Region, CHINA](#)

Date of Election: [9 September 2012](#)

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Date of Preparation: [March 2016](#)

NOTES TO COLLABORATORS:

- The information provided in this report contributes to an important part of the CSES project. The information may be filled out by yourself, or by an expert or experts of your choice. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.
- Answers should be as of the date of the election being studied.
- Where brackets [] appear, collaborators should answer by placing an “X” within the appropriate bracket or brackets. For example: [X]
- If more space is needed to answer any question, please lengthen the document as necessary.

[Remarks on Hong Kong’s Legislative Council Election](#)

Before going any further, an explanation of Hong Kong’s Legislative Council Election, which are complicated, is in order.

Legislative Council in Hong Kong is composed of 70 members, 35 of which are returned by geographical constituency elections and another 35 by functional constituency elections.

In the Geographical Constituency (GC) part of the Election, Hong Kong is divided into 5 constituencies and voters elect candidates by universal suffrage. The number of LegCo seats in each constituency is decided according to the constituency population. The voting system adopted is the closed list proportional representation system.

There are two parts of the Functional Constituencies (FCs): the traditional FCs and the District Council (Second) FC.

The traditional FCs return 30 LegCo members. Registration as a voter in some traditional FCs requires certain qualifications, for example, registered medical practitioners or dentists for the Medical FC, and bodies with voting right at general meetings of the Hong Kong General Chamber of Commerce for the Commercial (First) FC. Note that in some FCs, voters are

individuals, while in others, “voters” are not individuals and are companies or organizations. Different voting methods are used in different traditional FCs to return their LegCo members.

The District Council (Second) FC returns 5 LegCo members. In this part of election, the whole of Hong Kong has one constituency only and the voting system adopted is the closed list proportional representation system. Candidates must be elected District Council members who are nominated by no less than 15 other elected District Council members; whereas voters are registered GC electors who are not registered in other FCs.

Unless specified otherwise, information about the 2012 LegCo Election we provide in this report is based on that of the GC part of the 2012 LegCo Election.

Data Pertinent to the Election at which the Module was Administered

1a. Type of Election

- Parliamentary/Legislative
- Parliamentary/Legislative and Presidential
- Presidential
- Other; please specify: _____

1b. If the type of election in Question 1a included Parliamentary/Legislative, was the election for the Upper House, Lower House, or both?

- Upper House
- Lower House
- Both
- Other; please specify: *The Legislative Council in Hong Kong is unicameral and not divided into Upper and Lower Houses.*

2a. What was the party of the president *prior* to the most recent election, regardless of whether the election was presidential?

There is no such post (the president) in Hong Kong. The Chief Executive (CE) in Hong Kong (some equivalent of the president elsewhere) is the highest government official of the Hong Kong Special Administrative Region (HKSAR) Government. (Note that Hong Kong is a Special Administrative Region of China, and in some sense, the HKSAR Government is a local government.) The CE does not belong to any political party, which is required by Section 31 of the Chief Executive Election Ordinance (Chapter 569, Laws of Hong Kong).

2b. What was the party of the Prime Minister *prior* to the most recent election, regardless of whether the election was parliamentary?

There is no such post (the Prime Minister) in Hong Kong.

2c. Report the number of cabinet ministers of each party or parties in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".) Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights. List also cabinet members that are 'independent'. If known, specify if the 'independents' are affiliated or close to certain parties.

In Hong Kong, the Executive Council (ExCo), which is established to assist the CE in policy-making, is some equivalent of the cabinet elsewhere. However, the majority views of the ExCo, if any, are not binding and it is up to the CE to decide whether to accept them or not. In this sense, the ExCo members do not have voting rights. With this understanding, the ExCo members with and without party affiliation are shown in the following table:

| <u>Name of Political Party</u> | <u>Number of Executive Council members</u> |
|--|--|
| Official members (members with policy portfolios) | |
| Without party affiliation | 15 |
| Non-official members (members without policy portfolios) | |
| Without party affiliation | 11 |
| With party affiliation: | |
| DAB | 1 |
| Hong Kong Federation of Trade Unions | 1 |
| Heung Yee Kuk (Rural Council) | 1 |
| | |
| | 29 |

2d. What was the size of the cabinet *prior* to the election (total number of cabinet ministers detailed in 2c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

30 (including the CE, 15 official members and 14 non-official members). However, both the official and non-official members do not have voting rights in the ExCo (please refer to the first paragraph in 2c).

3a. What was the party of the president *after* the most recent election, regardless of whether the election was presidential?

See 2a.

3b. What was the party of the Prime Minister *after* the most recent election, regardless of whether the election was parliamentary?

There is no such post (the Prime Minister) in Hong Kong.

3c. Report the number of cabinet ministers of each party or parties in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all"). Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights. List also cabinet members that are 'independent'. If known, specify if the 'independents' are affiliated or close to certain parties.

The ExCo members do not have voting rights (please see 2a above). With this understanding, the ExCo members with and without party affiliation after the 2012 LegCo Election are shown in the following table:

| <u>Name of Political Party</u> | <u>Number of Executive Council members</u> |
|---|--|
| <u>Official members (members with policy portfolios)</u> | |
| Without party affiliation | 15 |
| <u>Non-official members (members without policy portfolios)</u> | |
| Without party affiliation | 11 |
| With party affiliation: | |
| DAB | 1 |
| Hong Kong Federation of Trade Unions | 1 |
| Heung Yee Kuk (Rural Council) | 1 |
| New People's Party | 1 |
| Business and Professional Alliance for Hong Kong | 1 |
| | |
| | 31 |

3d. What was the size of the cabinet *after* the election (total number of cabinet ministers detailed in 3c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

32 (including the CE, 15 official members and 16 non-official members). However, both the official and non-official members do not have voting rights in the ExCo (please refer to the first paragraph in 2c).

4a. How many political parties received votes in the election? In this answer, we want political parties, not merely alliances or coalitions of political parties. Please include all parties that received votes, but do not include independents. Where coalitions are present, please count all member parties separately – for instance, a coalition of three parties would count as three parties in your answer, not as one party. Please provide separate information for elections held contemporaneously (e.g., legislative and presidential voting), when voters cast separate ballots.

Altogether, 19 political parties received votes in the GC elections and they are:

- Democratic Alliance for Betterment and Progress of Hong Kong (DAB)
- Civic Party
- Democratic Party
- New Territories Association of Societies (Joint ticket with DAB)
- People Power
- The Frontier (Joint ticket with People Power)
- Hong Kong Federation of Trade Unions
- Labour Party
- League of Social Democrats
- New People's Party
- Liberal Party
- Neighbourhood & Worker's Service Centre
- Business and Professionals Alliance for Hong Kong
- Hong Kong Association for Democracy and People's Livelihood
- Neo Democrats
- Civil Force
- New Forum (Joint ticket with Civil Force)
- Economic Synergy
- Democratic Alliance

4b. Please provide a source of data and link to a website with official, detailed election results (votes and seats) for all parties participating in the election. If the data is not available electronically, please provide the information in paper format if possible.

Introduction to Candidates (Geographical Constituency):

<http://www.elections.gov.hk/legco2012/eng/introd.html>

Election Results (Geographical Constituency):

http://www.elections.gov.hk/legco2012/eng/rs_gc.html

4c. Please list all parties who received at least 1% of the vote nationally, and the applicable electoral results for each, in the following table. Please indicate the source (even if the same as in Question 4b), and add additional rows to the table as necessary. Please provide party names both in English and in the original language, if applicable.

The following table shows the electoral results of the Geographical Constituency (GC) part of the 2012 LegCo Election:

| Party Name | # Votes | % of Votes | # Seats | % of Seats |
|---|------------------|-------------------|----------------|-------------------|
| Democratic Alliance for Betterment and Progress of Hong Kong (民主建港協進聯盟) ¹ | 369,886 | 20.4 | 9 | 25.7 |
| Civic Party (公民黨) | 255,007 | 14.1 | 5 | 14.3 |
| Democratic Party (民主黨) | 247,220 | 13.7 | 4 | 11.4 |
| People Power (人民力量) ² | 176,250 | 9.7 | 3 | 8.6 |
| Hong Kong Federation of Trade Unions (香港工會聯合會) | 127,857 | 7.1 | 3 | 8.6 |
| Labour Party (工黨) | 112,140 | 6.2 | 3 | 8.6 |
| League of Social Democrats (社會民主連線) | 87,997 | 4.9 | 1 | 2.9 |
| New People's Party (新民黨) | 68,097 | 3.8 | 2 | 5.7 |
| Liberal Party (自由黨) | 48,702 | 2.7 | 1 | 2.9 |
| Neighbourhood & Worker's Service Centre (街坊工友服務處) | 43,799 | 2.4 | 1 | 2.9 |
| Kowloon West New Dynamic (西九新動力) | 34,548 | 1.9 | 1 | 2.9 |
| Hong Kong Association for Democracy and People's Livelihood (香港民主民生協進會) | 30,634 | 1.7 | 0 | 0.0 |
| Neo Democrats (新民主同盟) | 28,621 | 1.6 | 1 | 2.9 |
| Civil Force (公民力量) ³ | 23,988 | 1.3 | 0 | 0.0 |
| Independent ⁴ | 147,625 | 8.2 | 1 | 2.9 |
| Total | 1,810,984 | 100.0 | 35 | 100.0 |

¹ The number of votes here included those of several tickets in the New Territories East and New Territories West GCs of election coalitions of DAB and a political group New Territories Association of Societies (新界社團聯會). Since we cannot attribute how many votes should go to which party/group, we do not have a separate listing of votes won by New Territories Association of Societies.

² The number of votes here included those of a ticket in the New Territories East GC of an election coalition of People Power and a political group The Frontier (前線). Since we cannot attribute how many votes should go to which party/group, we do not have a separate listing of votes won by The Frontier.

³ The number of votes here included those of a ticket of an election coalition of Civil Force and a political group New Forum (新論壇). Since we cannot attribute how many votes should go to which party/group, we do not have a separate listing of votes won by New Forum.

⁴ A number of candidates who claimed to be not affiliated with any political party won more than 1% of the votes and one seat. They are grouped under "Independent".

Sources: Introduction to Candidates: <http://www.elections.gov.hk/legco2012/eng/introd.html>
Election Results (Geographical Constituency): http://www.elections.gov.hk/legco2012/eng/rs_gc.html

The following table shows the electoral results of the District Council (Second) Functional Constituency (FC) part of the 2012 LegCo Election:

| Party Name | # Votes | % of Votes | # Seats | % of Seats |
|--|------------------|-------------------|----------------|-------------------|
| Democratic Party (民主黨) | 545,308 | 34.3 | 2 | 40.0 |
| Democratic Alliance for Betterment and Progress of Hong Kong (民主建港協進聯盟) | 476,875 | 30.0 | 1 | 20.0 |
| Hong Kong Association for Democracy and People's Livelihood (香港民主民生協進會) | 262,172 | 16.5 | 1 | 20.0 |
| Hong Kong Federation of Trade Unions (香港工會聯合會) | 246,196 | 15.5 | 1 | 20.0 |
| Total | 1,591,872 | 100.0 | 5 | 100.0 |

Sources: Introduction to Candidates: <http://www.elections.gov.hk/legco2012/eng/introd.html>
 Election Results (District Council (Second) FC): http://www.elections.gov.hk/legco2012/eng/result/rs_ds.html

For the traditional FC Elections, there are 28 FCs (returning 30 LegCo members), and different constituencies have different voting rules to return candidates. It is therefore not very meaningful to count the number and percentage of votes. The following table shows the electoral results of the traditional FC part of the 2012 LegCo Election:

| Party Name | Number of Seats | % of Seats |
|--|------------------------|-------------------|
| Liberal Party (自由黨) | 4 | 13.3 |
| Economic Synergy (經濟動力) | 4 | 13.3 |
| Democratic Alliance for Betterment and Progress of Hong Kong (民主建港協進聯盟) | 3 | 10.0 |
| Hong Kong Federation of Trade Unions (香港工會聯合會) | 2 | 6.7 |
| Labour Party (工黨) | 1 | 3.3 |
| Civic Party (公民黨) | 1 | 3.3 |
| Hong Kong Professional Teachers' Union (香港教育專業人員協會) | 1 | 3.3 |
| The Federation of Hong Kong & Kowloon Labour Unions (港九勞工社團聯會) | 1 | 3.3 |
| New Forum (新論壇) | 1 | 3.3 |
| Independent * | 12 | 40.0 |
| Total | 30 | 100.0 |

* A number of candidates who claimed to be not affiliated with any political party won seats. They are grouped under "Independent".

Sources: Introduction to Candidates: <http://www.elections.gov.hk/legco2012/eng/introd.html>
 Election Results (Traditional FCs): http://www.elections.gov.hk/legco2012/eng/result/rs_fc_cat.html

4d. What was the voter turnout in the election? Please also provide an official Internet address (preferably) or other official source where this information is available.

For the Geographical Constituency part, the voter turnout rate was 53.0% (3,466,201 registered voters, of which 1,838,722 casted their votes).

For the traditional Functional Constituency (FC) part, the voter turnout rate was 69.6% (216,979 registered electors in the contested functional constituencies, of which 151,124 casted their votes). But since there were different voter turnout rates for different FCs (some of them were even uncontested), we believe the single overall turnout rate cannot represent the situation of different FCs and may be misleading.

For the District Council (Second) FC part, the voter turnout rate was 52.0% (3,219,755 registered electors, of which 1,672,793 casted their votes).

Sources: <http://www.elections.gov.hk/legco2012/eng/turnout.html>

4e. Please provide the following six statistics for the country at the time of the election studied, so that we may calculate voter turnout in various ways. Some definitions, where provided, are based on those developed by International IDEA. Please also provide an official Internet address (preferably) or other official source where this information is available.

- **Total Population: 7,154,600**

Definition: The total population includes all inhabitants, of all ages, both citizens and non-citizens (including illegal aliens).

Source: <http://www.statistics.gov.hk/pub/B10100032013AN13B0100.pdf> (please see pp. 1 & 4)

- **Total Number of Voting Age Citizens: 4,711,900**

Definition: This number is meant to approximate the eligible voting population.

Source: <http://www.info.gov.hk/gia/general/201411/26/P201411250818.htm>

- **Total Vote: 1,838,722 (for Geographical Constituency (GC) Election)**

Definition: The total number of votes cast in the relevant election. Total vote includes valid and invalid votes, as well as blank votes in cases where these are separated from invalid votes.

Source: Voter turnout rate of GC Election: http://www.elections.gov.hk/legco2012/eng/tt_gc_GC.html

- **Total Number of Invalid and Blank Votes: 27,738**
(= total number of votes (1,838,722) – total number of valid votes (1,810,984))

Source: For “total number of votes” (for GC Election), see the previous bullet point;
For “total number of valid votes” (for GC Election):
http://www.elections.gov.hk/legco2012/eng/rs_gc.html

▪ **Voting Age Population: 6,089,940**

Definition: Includes all persons above the legal voting age.

Source: <http://www.censtatd.gov.hk/hkstat/sub/sp150.jsp?tableID=002&ID=0&productType=8>

▪ **Number of Registered Voters: 3,466,201 (for GC Election)**

Definition: The figure represents the number of names on the voters' register at the time that the registration process closes, as reported by the electoral management body.

Source: Geographical Constituency: <http://www.voterregistration.gov.hk/eng/statistic20151.html#1>

5. Ideological family of political parties. For this question, please use the same parties that were used in the CSES Module 4 respondent questionnaire, and label them the same way (A-I).

| Party Name | Ideological Family |
|--|---------------------------|
| A. Democratic Party (民主黨) | D |
| B. Democratic Alliance for Betterment and Progress of Hong Kong (民主建港協進聯盟) | D |
| C. Labour Party (工黨) | C |
| D. People Power (人民力量) | D |
| E. Civic Party (公民黨) | G |
| F. New People's Party (新民黨) | E |
| G. Liberal Party (自由黨) | E |
| H. Hong Kong Federation of Trade Unions (香港工會聯合會) | C |
| I. | |

Ideological Party Families: (These are suggestions only. If a party does not fit well into this classification scheme, please provide an alternative and some explanation.)

(A) Ecology Parties
(B) Communist Parties
(C) Socialist Parties
(D) Social Democratic Parties
(E) Conservative Parties

(F) Left Liberal Parties
(G) Liberal Parties
(H) Right Liberal Parties
(I) Christian Democratic Parties
(J) National Parties

(K) Independents
(L) Agrarian Parties
(M) Ethnic Parties
(N) Regional Parties
(O) Other Parties

7. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)? Rank them according to their salience (1 = most salient).

1. Relationships with the Central Government in Beijing;
2. Whether to support withdrawing the “national education” subject from the school curriculum;
3. Attitudes towards the elections of the Chief Executive and all the members of the Legislative Council by universal suffrage;
4. Cross-border conflicts emerged from closer socio-economic interactions between mainland China and Hong Kong; and
5. Whether allied with the HKSAR Government.

8. Party Leaders and Presidential Candidates:

In the table below, report the leader(s) of each party. Please use the same parties that were used in the CSES Module 4 respondent questionnaire, and label them the same way (A-I). If candidates were endorsed by more than one party, please indicate this.

| Party Name | Name of Party Leader | Name of Presidential Candidate, if appropriate |
|--|-----------------------------|---|
| A. Democratic Party (民主黨) | Ho Chun-yan, Albert* | |
| B. Democratic Alliance for Betterment and Progress of Hong Kong (民主建港協進聯盟) | TAM Yiu-chung | |
| C. Labour Party (工黨) | LEE Cheuk-yan | |
| D. People Power (人民力量) | WONG Yuk-man | |
| E. Civic Party (公民黨) | LEONG Kah-kit, Alan | |
| F. New People’s Party (新民黨) | IP LAU Suk-yee, Regina | |
| G. Liberal Party (自由黨) | LAU Kin-yee, Miriam | |
| H. Hong Kong Federation of Trade Unions (香港工會聯合會) | LAM Shuk-yee | |
| I. | | |

* Ho Chun-yan resigned from the post of chairman of Democratic Party soon after the 2012 LegCo Election because of the Party’s poor performance in the Election, and Lau Wai-hing, Emily succeeded Ho as the chairperson of Democratic Party.

9a. Fairness of the Election

How impartial was the body that administered the election law?

- Very impartial
- Mostly impartial
- Not very impartial
- Not impartial at all

9b. Was there a formal complaint against the national level results?

- Yes
- No

9c. Were there irregularities reported by international election observers?

- Yes
- No
- No international election observers

9d. On what date was the election originally scheduled to be held?

9 September 2012

9e. On what date was the election actually held? If different from 9d, please explain why.

9 September 2012

10a. Election Violence

To what extent was there violence and voter or candidate intimidation during the election campaign and the election day?

- No violence at all
* However, there were very sporadic quarrels/conflicts among supporters of different candidates.
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10b. If there was violence, was it geographically concentrated or national?

- Geographically concentrated
- National

10c. Post-Election (and election-related) Violence

To what extent was there violence following the election?

- No violence at all
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10d. Post-Election (and election-related) Protest

To what extent was there protest following the election?

- No protest at all
- Sporadic protest
- Significant protest

Questions about the Possibilities of Electoral Alliance

Definitions: A joint list refers to one on which candidates of different parties run together. Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

11. Joint Lists/Candidates

There are multiple types of electoral alliances/coalitions, but we are explicitly interested in those involving joint lists or candidates - i.e. those where parties compete as a unit during the election.

Is this type of electoral coalition legally allowable?

- Yes
 No

Is this type of electoral coalition used in practice, even if not legally allowable?

- Yes
 No

If “Yes” was answered to either of the above questions, then please complete the following table for the election at which the Module was administered. Please mention only alliances that received at least 1% of the vote nationally. Add additional lines to the table as necessary.

| Alliance Name | Participating Parties (please indicate dominant members with an “*”) |
|-------------------------|---|
| Alliance 1: (in NTE) | Civil Force / New Forum PONG Scarlett Oi Lan* TAM Lanny LAW Kwong Keung CHAN Kwok Tim SO Chun Man LAM Chung Yan LEUNG Ka Fai CHAN Man Kuen TANG Wing Cheong |
| Alliance 2: (in NTE) | Democratic Alliance for Betterment and Progress of Hong Kong / New Territories Association of Societies Elizabeth QUAT* CHONG Yuen Tung, Kenny LI Sai Wing, Stanley LI Ka Leung, Philip TUNG Kin Lei, Kelly KI Lai Mei, Remick WONG Ping Fan, Isis |

| | |
|-------------------------|---|
| Alliance 3: (in NTE) | People Power / The Frontier CHAN Chi Chuen, Raymond* YUEN Mi Ming, Erica |
| Alliance 4: (in NTE) | Democratic Alliance for Betterment and Progress of Hong Kong / New Territories Association of Societies CHAN Hak Kan* LAU Kwok Fan WONG Pik Kiu LARM Wai Leung WOO Kin Man, Clement YIU Ming |
| Alliance 5: (in NTW) | Democratic Alliance for Betterment and Progress of Hong Kong / New Territories Association of Societies LEUNG Che Cheung* TSANG Hin Keung Lui Kin LEE Christina Maisenne WONG Wai Ling CHUI Kwan Siu |
| Alliance 6: (in NTW) | Democratic Alliance for Betterment and Progress of Hong Kong / New Territories Association of Societies CHAN Han Pan* POON Chi Shing LAM Lam Nixie CHAN Chun Chung LAW Kwan LEUNG Kar Ming TSANG Tai |
| Alliance 7: (in NTW) | Democratic Alliance for Betterment and Progress of Hong Kong / New Territories Association of Societies TAM Yiu Chung* LUNG Shui Hing YIP Man Pan MO Shing Fung |

Source: http://www.elections.gov.hk/legco2012/eng/introd_gc_ntw.html ; and press “Graphic” of the respective candidate lists

12. If joint lists are possible, are they subject to different regulations than single-party lists? For example, higher thresholds, different numbers of candidates that may appear on the list, etc. (please mark all applicable responses)

- Yes, joint party lists must satisfy higher thresholds
- Yes, joint party lists may present different numbers of candidates
- Yes, joint party lists are subject to other regulations that are different from the regulations governing independent parties; please specify: _____
- No, joint parties are governed by the same rules as the other parties
- Not applicable; no joint party lists are allowed

13a. Is there apparentement or linking of lists?

- Yes
- No

13b. If apparentement is possible, what lists can participate in such agreements:

- lists of the same party in the same constituency
- lists of the same party from different constituencies
- lists of different parties in the same constituency

14a. Can candidates run with the endorsement of more than one party?

- Yes
- No

14b. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

- No
- No party endorsements are indicated on the ballot paper
- Yes, candidate's name appears once, together with the names of all supporting parties
- Yes, candidate's name appears as many times as there are different parties endorsing him/her, each time with the name of the endorsing party
- Yes, other; please explain:

* For details, see the following:

(a) Register maintained under section 20 of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation:

http://www.eac.gov.hk/pdf/legco/2012/Contents_2012-02_20120716.pdf

(b) Section 20 of Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Chapter 541M):

[http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/48554235237B9B50482575EF001787D7/\\$FILE/CAP_541M_e_b5.pdf](http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/48554235237B9B50482575EF001787D7/$FILE/CAP_541M_e_b5.pdf)

Data on Electoral Institutions

If possible, please supplement this section with copies of the electoral law, voters' handbooks, electoral commission reports, and/or any other relevant materials.

A. Electoral Affairs Commission Ordinance (Chapter 541):

[http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/B1CF624C2B6AA815482575EF0016AA19/\\$FILE/CAP_541_e_b5.pdf](http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/B1CF624C2B6AA815482575EF0016AA19/$FILE/CAP_541_e_b5.pdf)

B. Legislative Council Ordinance (Chapter 542):

[http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/C8A3B2AECFB759D5482575EF0017A5D5/\\$FILE/CAP_542_e_b5.pdf](http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/C8A3B2AECFB759D5482575EF0017A5D5/$FILE/CAP_542_e_b5.pdf)

C. Chief Executive Election Ordinance (Chapter 569):

[http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/0B621C1E1F7C5B7A482575EF001BF072/\\$FILE/CAP_569_e_b5.pdf](http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/0B621C1E1F7C5B7A482575EF001BF072/$FILE/CAP_569_e_b5.pdf)

D. Report on the 2012 Legislative Council Election (by Electoral Affairs Commission):

http://www.eac.gov.hk/en/legco/2012lce_report.htm

E. Official Website on the 2012 Legislative Council Election:

<http://www.elections.gov.hk/legco2012/eng/index.html>

Electoral Tier (Segment) and House

15a. In your answers for questions 15a through 21d, which electoral tier (segment) is being referred to? (Note: Countries with only one tier may skip this question.)

15b. In your answers for questions 15a through 21d, which house is being referred to (lower or upper)? (Note: Countries with only one tier may skip this question.)

Questions about Voting

16a. How many votes do voters cast or can cast? In systems where voters rank order the candidates, if there are 10 candidates (for example), the response to this question should be 10.

Voters can have one vote in geographical constituency part of the election; and another vote in either District Council (Second) Functional Constituency or one of the remaining traditional functional constituencies.

Please refer to the remarks on p. 1.

16b. Do they vote for candidates (not party lists) or party lists? (Note: Collaborators may select multiple answers, if appropriate.)

(Definition: Party bloc voting is used in multi-member districts where voters cast a single party-centered vote for their party of choice; the party with the most votes wins all of the district seats.)

- Candidates
- Party Lists
- Party Bloc Voting
- Other; please explain:

16c. How many rounds of voting are there?

One.

16d. If there are lists, are they closed, open, flexible, or is there party bloc voting?

- Closed (order of candidates elected is determined by the party and voters are unable to express preference for a particular candidate)
- Open (voters can indicate their preferred party and their favored candidate within that party)
- Flexible (voters can allocate votes to candidates either within a single party list or across different party lists as they see fit)

17. Are the votes transferable?

(Definition: In systems with preferential voting, a voter can express a list of preferences. E.g., votes can be cast by putting a '1' in the column next to the voter's preferred candidate, a '2' beside their second favorite candidate and so on. Votes are counted according to the first preferences and any candidates who have achieved the predetermined quota are elected. To decide which of the remaining candidates are elected the votes are *transferred* from candidates who have more than the necessary number to achieve the quota and from the candidate with the least number of votes. An example of this is the election in Ireland in 2002.)

- Yes
- No

18. If more than one vote can be cast, can they be cumulated?

(Definition: Cumulative voting refers to systems in which voters are allowed to cast more than one vote for a single candidate.)

- Yes
- No

19. Is voting compulsory?

(Definition: Voting is compulsory if the law states that all those who have the right to vote are obliged to exercise that right.)

- Yes; Strictly Enforced Sanctions
- Yes; Weakly Enforced Sanctions
- Yes; Without Sanction for Violation
- No

20. Please list and describe any other features of voting that should be noted.

Nil.

Questions about Converting Votes into Seats

21a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

- Yes
- No

21b. If YES in Question 21a, what is the threshold?

21c. If YES in Question 21a, what is the unit for the threshold mentioned in Question 21b?

- Percent of total votes
- Percent of valid votes
- Percent of the total electorate
- Other; please explain: _____

21d. If YES in Question 21a, please specify to what House/ Electoral Tier (Segment) the threshold(s) apply.

**Please repeat questions 15a through 21d
for each electoral tier (segment) of each**

References

22. Please provide an official source for district-level election results. English language sources are especially helpful. Include website links or contact information if applicable.

Election results of Geographical Constituency level:

http://www.elections.gov.hk/legco2012/eng/rs_gc.html

23. Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described. Include website links if applicable.

2012 Legislative Council Election: <http://www.elections.gov.hk/legco2012/eng/index.html>

Report on the 2012 Legislative Council Election Held on 9 September 2012:

http://www.eac.gov.hk/en/legco/2012lce_report.htm

Registration and Electoral Office, HKSAR Government:

http://www.reo.gov.hk/en/about/ceo_msg.htm

Electoral Affairs Commission, HKSAR Government:

<http://www.eac.gov.hk/en/about/chairman.htm>

The Basic Law: <http://www.basiclaw.gov.hk/en/basiclawtext/index.html>