

Comparative Study of Electoral Systems

Module 5: Macro Report

Version: September 14, 2016

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

Date of Election: [4 September 2016](#)

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NOTES TO COLLABORATORS

- There are eight sections (numbered A-H inclusive) in this report. Please ensure that you complete all the sections.
- The information provided in this report contributes to the macro data portion of the CSES, an important component 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, district data) 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 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 2016 LegCo Election we provide in this report is based on that of the GC part of the 2016 LegCo Election.

A) DATA PERTINENT TO ELECTION AT WHICH 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 strictly speaking, 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".) Please also provide a website link to this data if possible.

(Definition: Ministers are considered those members of government who are members of the Cabinet and who have voting rights at Cabinet meetings. Please also list 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 (as of 31 December 2015) are shown in the following table:

Party Name	Number of cabinet positions
Official members: without party affiliation	16
Non-official members: without party affiliation	9
Non-official members: Democratic Alliance for the Betterment and Progress of Hong Kong	2
Non-official members: Business and Professionals Alliance for Hong Kong	1
Non-official member: New People's Party	1
Non-official member: Hong Kong Federation of Trade Unions	1

Source: Compiled from *Hong Kong Year Book 2015*, Appendix 1
(<https://www.yearbook.gov.hk/2015/en/pdf/Appendices.pdf>, accessed on 21 August 2017).

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

ExCo consisted of the CE and 30 members (16 official members and 14 non-official members) *prior* to 2016 LegCo Election (as of 31 December 2015).

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"). Please provide a website link to this data if possible.

(Definition: Ministers are considered those members of government who are members of the Cabinet and who have voting rights at Cabinet meetings. Please also list cabinet members that are 'independent'. If known, specify if the 'independents' are affiliated or close to certain parties).

The ExCo members with and without party affiliation after the 2016 LegCo Election (as of 31 December 2016) are shown in the following table:

Party Name	Number of cabinet positions
Official members: without party affiliation	16
Non-official members: without party affiliation	10
Non-official members: Democratic Alliance for the Betterment and Progress of Hong Kong	2
Non-official members: Business and Professionals Alliance for Hong Kong	1
Non-official member: Liberal Party	1
Non-official member: Hong Kong Federation of Trade Unions	1

Source: Compiled from *Hong Kong Year Book 2016*, Appendix 1
(<https://www.yearbook.gov.hk/2016/en/pdf/Appendices.pdf>, accessed on 21 August 2017).

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.

(Definition: Ministers are considered those members of government who are members of the Cabinet and who have voting rights at Cabinet meetings).

ExCo consisted of the CE and 31 members (16 official members and 15 non-official members) (as of 31 December 2016) *after* 2016 LegCo Election.

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

(Note: There is no requirement to detail the results here. Instead, an official source where this data can be accessed is sufficient).

There is no official territory-wide level (equivalent to the national level) election results for all parties participating in 2016 LegCo Election.

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

(Note: There is no requirement to detail the results here. Instead, an official source where this data can be accessed is sufficient).

The following websites provide the official election results at the constituency level (equivalent to the district level):

(1) Introduction to Candidates (Geographical Constituency):

https://www.elections.gov.hk/legco2016/eng/intro_to_can.html, accessed on 3 July 2017.

(2) Election Results (Geographical Constituency):

https://www.elections.gov.hk/legco2016/eng/rs_gc.html?1528786702516, accessed on 3 July 2017.

4c. Can voters cast a ballot before Election Day(s)? (i.e.: Is early voting possible)?

Yes, for the whole electorate

Yes, but only for some of the electorate – please specify below:

No

4d. Can voters cast a ballot by mail?

Yes, for the whole electorate

Yes, but only for some of the electorate – please specify below:

No

4e. Can voters cast a ballot by the Internet?

Yes, for the whole electorate

Yes, but only for some of the electorate – please specify below:

No

6a2: How many country experts/national collaborators have assisted in the classification of parties on the above scale? Two.

6a3: We encourage collaborators to provide any further specific or relevant information (if applicable) regarding the above classifications which might help users of the data understand them to a greater extent. This information will be included in the CSES codebook. Please fill in below.

6b1. If you have asked respondents to rank political parties on an alternative dimension, other than the left-right dimension, please also provide your own rankings of the parties on this dimension. Please use the same parties that were used in the CSES Module 5 respondent questionnaire, and label them the same way (A-I).

Name of dimension: Centre-periphery
 Label for 0 position: Pro-periphery (Hong Kong)
 Label for 10 position: Pro-centre (Beijing)

Party Name	Pro-Hong Kong					Pro-Beijing					
	0	1	2	3	4	5	6	7	8	9	10
A. Democratic Party				X							
B. Democratic Alliance for Betterment and Progress of Hong Kong											X
C. Civic Party		X									
D. New People's Party										X	
E. Hong Kong Federation of Trade Unions											X
F. Youngspiration	X										

6b2: How many country experts/national collaborators have assisted in the classification of parties on the above scale? Two.

6b3: We encourage collaborators to provide any further specific or relevant information (if applicable) regarding the above classifications which might help users of the data understand them to a greater extent. This information will be included in the CSES codebook. Please fill in below.

6c. Populist classification of parties: As Module 5 focuses in part on populism, please indicate the degree to which each of the parties (in the expert judgment of the CSES Collaborator) can be characterized as a populist party? Please use the same parties used in the CSES Module 5 respondent questionnaire and label them the same way (A-I). The definition of populism advanced by the Module 5 theme committee is below:

DEFINITION: Populism can be defined as a thin-centred ideology that pits a virtuous and homogeneous people against a set of elites and dangerous ‘others’ who are depicted as depriving “the people” of their rights, values, prosperity, identity, and voice. The emphasis on anti-elite/anti-establishment rhetoric and the contrast between the “pure people” and the “corrupt elite” are thus indications of the degree to which a party is populist. Populist parties can be found across the left-right ideological spectrum. On a scale of 0 to 10, where 0 is “not at all populist” and 10 is “very populist”, where would you place each of the parties in your country?

Party Name	Not at all populist					Very populist					
	0	1	2	3	4	5	6	7	8	9	10
A. Democratic Party					X						
B. Democratic Alliance for Betterment and Progress of Hong Kong							X				
C. Civic Party			X								
D. New People’s Party						X					
E. Hong Kong Federation of Trade Unions									X		
F. Youngspiration									X		

6c2: How many country experts/national collaborators have assisted in the classification of parties on the above scale? Two.

6c3: We encourage collaborators to provide any further specific or relevant information (if applicable) regarding the above classifications which might help users of the data understand them to a greater extent. This information will be included in the CSES codebook. Please fill in below.

C) SALIENT ISSUES IN THE ELECTION

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)?
Note: Please rank the issues according to their salience (1 = most salient).

- (1) Divisions within the opposition camp regarding campaign strategy and attitudes towards the Central People's Government of the People's Republic of China;
- (2) Attitudes towards localism in Hong Kong / "Hong Kong independence";
- (3) Whether to support the then Chief Executive Leung Chun Ying seeking the second term of office;
- (4) Attitudes towards Returning Officers' decisions to deny the candidacy of some of the persons who intended to run for the Legislative Council Election; and
- (5) Attitudes towards filibusters in the Legislative Council.

D) FAIRNESS OF THE ELECTION & ELECTION SCHEDULING

8a. How impartial was the body that administered the election law?

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

* As before, the body administering the election law in Hong Kong (the Electoral Affairs Commission) in 2016 LegCo Election was largely considered as impartial. However, in this election, there was one incident that led to queries over the body's impartiality: returning officers under the Electoral Affairs Commission decided that six persons were not qualified for running for LegCo on the ground that judging from their past remarks and social media posts, the disqualified persons advocated Hong Kong independence, so could not genuinely support the Basic Law (according to which Hong Kong is an inalienable part of China). Since in previous elections, returning officers had never made this kind of political judgments, some perceived their decisions as political censorship over who could run for LegCo Election and rejection of the candidacy of some persons on political grounds.

8b. Was there a formal complaint against the national level results?

- Yes
- No

8c. Were there irregularities reported by international election observers?

- Yes
- No
- No international election observers

8d. On what date was the election originally legally scheduled to be held?

4 September 2016

8e. On what date was the election actually held? If different from 8d, please explain why.

4 September 2016

E) ELECTION VIOLENCE

9a. To what extent was there violence and voter or candidate intimidation **during** the election campaign and on the election day?

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

* However, there were very sporadic quarrels/conflicts among supporters of different candidates.

9b. If there was violence, was it geographically concentrated or national?

Geographically concentrated

National

9c. 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

9d. To what extent was there protest following the election?

No protest at all

Sporadic protest

Significant protest

F) ELECTORAL ALLIANCES

10. Joint Lists/Candidates

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

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.

10a. Is this type of electoral coalition legally allowable?

Yes

No

* We cannot locate a law or regulation that explicitly allows joint lists/election coalitions, but “Register maintained under section 20 of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation” specifies that when a candidate is endorsed by more than one party, the candidate's name appears together with the names of all endorsing parties on the ballot. Such a regulation implicitly recognizes that joint list election coalitions are allowable.

10b. Is this type of electoral coalition used in practice, even if not legally allowable?

Yes

No

10c. 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 KLNW)	Business and Professionals Alliance for Hong Kong / Kowloon West New Dynamic LEUNG Mei Fun* LEUNG Man Kwong CHO Wui Hung TING Wong Kacce LEUNG Yuen Ting CHAN Kwok Wai
Alliance 2: (in NTW)	Democratic Alliance for the Betterment and Progress of Hong Kong / New Territories Association of Societies LEUNG Che Cheung* LUI Kin WONG Hon Kuen, Ken YIP Man Pan CHUI Kwan Siu LAI Ka Man
Alliance 3: (in NTW)	League of Social Democrats / People Power WONG Ho Ming* Chan Wai Yip, Albert
Alliance 4: (in NTE)	Hong Kong Resurgence Order / Civic Passion CHIN Wan Kan (Wan CHIN)* LEE Kwok Hei, Marco
Alliance 5: (in NTE)	New People’s Party / Civil Force YUNG Hoi Yan* TAM Lanny, Stanley LEUNG Ka Fai CHAN Man Kuen TONG Hok Leung YIP Chi Ho, James LIU Tsz Chung, Michael
Alliance 6: (in NTE)	Democratic Alliance for the Betterment and Progress of Hong Kong / New Territories Association of Societies CHAN Hak Kan* WOO Kin Man, Clement YIU Ming WONG Pik Kiu LARM Wai Leung TSANG Hing Lung MUI Siu Fung HAU Hon Shek

Source: Introduction to Candidates (https://www.elections.gov.hk/legco2016/eng/intro_to_can.html, accessed on 17 June 2017).

11. 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

12a. Is there apparentement or linking of lists?

- Yes
- No

12b. 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

13a. Can candidates run with the endorsement of more than one party?

- Yes
- No

13b. 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: _____

G) 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.

(1) Cap. 542 Legislative Council Ordinance

Source: [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).

(2) Cap. 569 Chief Executive Election Ordinance

Source: [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).

(3) *Report on the 2016 Legislative Council General Election* (by Electoral Affairs Commission)

Source: https://www.eac.gov.hk/pdf/legco/2016LCE_Report/en/2016lce_full_report.pdf.

(4) A government website on the 2016 Legislative Council Election at

<https://www.elections.gov.hk/legco2016/eng/index.html>.

Please note: Questions 15a through 21d must be repeated for each electoral tier (segment) of each directly elected house of the legislature.

Electoral Tier (Segment) and House

14a. 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.)

14b. 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

15a. 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.

For details, refer to the remarks in “Remarks on Hong Kong’s Legislative Council Election” on p.2.

15b. 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: ____.

15c. How many rounds of voting are there?

One.

15d. 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)

16. 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

17. 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

* Only one vote can be cast.

18. 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

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

Nil.

Questions about Converting Votes into Seats

20a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

Yes

No

20b. If YES in Question 20a, what is the threshold?

20c. If YES in Question 20a, what is the unit for the threshold mentioned in Question 20b?

Percent of total votes

Percent of valid votes

Percent of the total electorate

Other; please explain: _____

20d. If YES in Question 20a, please specify to what House/ Electoral Tier (Segment) the threshold(s) apply.

Please repeat questions 15a through 20d for each electoral tier (segment) of each directly elected house of the legislature. Countries with only one tier should proceed to Question 21.

H) References

21. 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.

2016 Legislative Council Election (<https://www.elections.gov.hk/legco2016/eng/index.html>).

Electoral Affairs Commission, HKSAR Government (<http://www.eac.gov.hk>).

Election results of Geographical Constituency level
(https://www.elections.gov.hk/legco2016/eng/rs_gc.html?1528786702516).

Hong Kong Year Book 2015 (<https://www.yearbook.gov.hk/2015/en>).

Hong Kong Year Book 2016 (<https://www.yearbook.gov.hk/2016/en>).

Registration and Electoral Office, HKSAR Government (<http://www.reo.gov.hk>).

Report on the 2012 Legislative Council Election Held on 4 September 2016
(https://www.eac.gov.hk/pdf/legco/2016LCE_Report/en/2016lce_full_report.pdf).

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