

SUPPORT CLEAN ELECTIONS

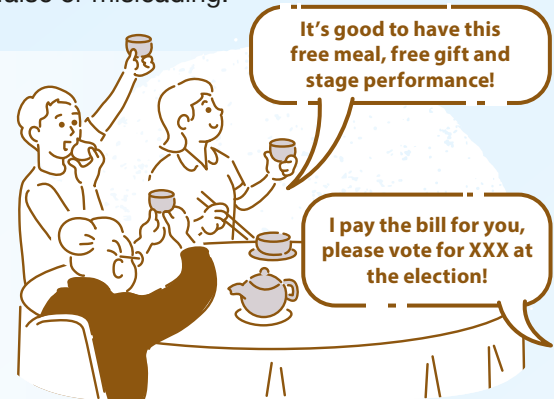


New terms of the Election Committee Subsector Ordinary Elections and the Legislative Council General Election will be held this year. The elections are regulated by the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (“ECICO”) enforced by the ICAC. According to the ECICO, an elector (including a voter of an Election Committee subsector or the authorised representative of a body) or any person, within Hong Kong or elsewhere, **must not** :

- ✘ solicit or accept an advantage (including money, gift, etc.) or take food, drink or entertainment from any person for not voting at the election, or voting or not voting at the election for a particular candidate or particular candidates. The offeror will also be guilty of the offence;
- ✘ use force or duress against an elector, or by a deception, to influence the elector’s voting decision;
- ✘ wilfully obstruct or prevent another person from voting at the election;
- ✘ carry out any activity in public during the election period that incites another person not to vote at the election, or to cast an invalid vote at the election;
- ✘ vote at the election knowing that he is not entitled to do so, or vote at the election after having knowingly or recklessly given to an electoral officer information that was materially false or misleading.

Example 1

- A person who offers an advantage, free refreshments or entertainment (such as free gift, free meal, stage performance, etc.) to electors as an inducement to vote or a reward for having voted at the election for a particular candidate or particular candidates will breach the ECICO.
- Electors who accept the aforesaid advantages or take the free refreshments or entertainment as an inducement to vote or a reward for having voted at the election for a particular candidate or particular candidates will also commit an offence.



Example 2

- A person who wilfully obstructs or prevents another person from voting at the election will commit an offence.
- A person by a deception, such as spreading false or misleading messages, induces another person not to vote at the election will also commit an offence.

Example 3

- A person who incites another person not to vote at the election or to cast an invalid vote at the election by carrying out any activity in public during the election period will breach the ECICO.



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

(The ICAC will accept no liability or responsibility for any loss caused to any person acting or refraining from acting in any way as a result of the material contained in this article. In case of doubt about the ECICO, please seek independent legal advice.)

