

Notes on Submission of Declaration and Copy of Election Advertisements (EAs) by Candidates

Before submitting a declaration of EA, candidates are advised to read Chapter 7 of the Guidelines on Election-related Activities in respect of the District Council Election (“Guidelines”) carefully to understand the relevant requirements. To facilitate candidates’ understanding of such requirements, the submission means of different types of EA is summarized in the texts below. We have also compiled a diagram to illustrate these submission means (See **Annex**). Should there be any discrepancies between the texts below and/or Annex and Chapter 7 of the Guidelines, the Guidelines should prevail.

Type 1: Printed EAs (e.g. pamphlets, handbills, posters, etc)

- Candidates should submit to the Returning Officer (“RO”) a declaration and 2 copies of each EA in accordance with the requirements of the Guidelines before the EAs are displayed, distributed and used.

Type 2: EAs which cannot be practically or conveniently photocopied (e.g. billboard, banner, balloon, etc)

- Before the EAs are displayed, distributed and used, candidates should:
 - submit to the RO a declaration and 2 identical postcard sized colour photographs of each EA in accordance with the requirements of the Guidelines; or
 - submit to the RO a declaration and a digital image of each EA in accordance with the requirements on submission of EAs delivered by electronic means and declaration as set out in Appendix B of the Guidelines.

Type 3: EAs delivered by electronic means

- Before display, distribution and use of EAs which are delivered by electronic means, candidates should deposit with the RO a declaration and a copy of the EA by the following means:
 - to submit by e-mail an electronic copy of the declaration and a copy of each EA in accordance with the procedures and file size limit set out in Appendix B of the Guidelines; or
 - a declaration and 2 identical copies of a CD-ROM or DVD-ROM containing an electronic copy each of the EAs; or
 - a declaration and 2 hard copies of each EA.
- If copies of EA and declaration are submitted by e-mail:
 - candidates must make sure that each e-mail submission is signed with a digital signature in accordance with the requirement stipulated in the Electronic Transactions Ordinance (Cap 553). Besides, the total file size of each e-mail should not exceed 10 MB according to Appendix B of the Guidelines.

- Candidates are required to furnish the e-mail address to the RO at least one working day before the first e-mail submission of EA and declaration to allow verification of the digital signature. The e-mail address used must be identical with that included in the digital signature.
 - An acknowledgement of receipt would be automatically generated by the system and sent to the sender upon successful transmission of the e-mail to the RO. Candidates should check with the RO if the acknowledgement is not received within the same day of the e-mail submission.
- If the electronic EAs are sent through social networking or communication websites on the Internet like Twitter, Facebook, blogs etc. and the exchanges are of an interactive and spontaneous nature, candidate can deposit with the RO a declaration and an electronic copy of each EA by the end of the first working day **following** the day on which the EAs are displayed, distributed or otherwise used.

Notes :

- (i) **If the e-mails or attachments submitted by the candidates do not meet the requirements set out in Appendix B of the Guidelines (e.g. the e-mail is not signed with a digital signature), such declaration will not be accepted as valid. The RO would request candidates to supplement and/or re-submit the declaration/EA and/or any other documents as required by the electoral law.**
- (ii) **Candidates should bear in mind the responsibilities and risks involved in delivering EAs by different electronic means especially electronic messages sent through the Internet (e.g. Twitter, Facebook or Weibo etc.), and ensure compliance with the regulations concerned and the Guidelines in the course of publication. If candidates have doubt as to whether certain electronic messages should be regarded as EAs (e.g. texts or photographs uploaded by supporters on the Internet), or whether they should deposit with the RO the declaration or electronic copy of EA before such publication, they should consult their legal advisers.**

Type 4: EAs recorded in video/audio tapes or discs or diskettes

- Before display, distribution and use of EAs, candidates should submit to the RO a declaration and 2 identical copies each of the tapes/discs/diskettes.

**Registration and Electoral Office
September 2011**

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