

Conditions for Display of Election Advertisements at Designated Spots
(“Conditions for Display”)

- (1) Candidates must observe and comply with paragraphs 2 to 19 below of this Conditions for Display in order to display election advertisements at designated spots. Candidates shall also abide by Part 7 of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D) and Chapter 9 “Election Advertisements” of the Electoral Affairs Commission’s Guidelines on Election-related Activities in respect of the Legislative Council Election.
- (2) **Candidates can display election advertisements at designated spots only after the Candidate Eligibility Review Committee (“CERC”) has decided that they are validly nominated.** If any candidate displays election advertisements at designated spots before the CERC decides the validity of his/her nomination, the Food and Environmental Hygiene Department, the Leisure and Cultural Services Department, the Housing Department or the Lands Department (hereunder referred to as “the said authorities”) as appropriate will remove the relevant election advertisements without any further notice. The cost of removal will also be recovered from the candidates and will constitute election expenses which must be included in the election return of the relevant candidates.
- (3) As a general rule, election advertisements displayed at designated spots should not exceed 1 metre high and 2.5 metres long, or exceed beyond the height and length of a railing or fence; or exceed the size as specified by the authority concerned for a particular designated spot as stated in Annex I (whichever is applicable). Before displaying election advertisements, candidates should ensure that the election advertisements must not distract motorists or interfere with the sightlines of motorists and pedestrians, obscure any traffic sign or traffic light signal, obstruct the circulation of pedestrians, or vehicular traffic, and impair the safety of pedestrians / vehicles on adjoining public roads. In addition, candidates should not display any roll-up banners and vertical flags at or near railings and fences at designated spots.
- (4) Candidates can only erect ONE piece of single-side election advertisement at each designated spot allocated to them. The back of the election advertisement being displayed should be left blank.
- (5) Election advertisements shall be firmly and separately fastened, and:-
 - (i) permanent fixing devices, such as nails or insoluble glue, should not be used;
 - (ii) “tie-on” posters (rather than “stick-on” posters or fixed by metallic wires) should be used to facilitate subsequent removal;
 - (iii) should not be stuck to painted or varnished surfaces as their subsequent removal will cause damage or leave irremovable marks;
 - (iv) should not be installed into public pavements; and
 - (v) should not be anchored to any tree or plant.
- (6) No commercial advertising shall be allowed on the election advertisements. The contents of election advertisements displayed at the designated spots can only be published by the relevant candidate, and cannot be used by other persons for publishing election advertisements or expressing views (e.g. used as a notice board for other persons to express views). The display locations allocated to the candidate are not transferable or exchangeable for any other spot.
- (7) Measures shall be taken to prevent damage to any highway structure, railing, barrier, fence, post or any other street furniture to which any election advertisement is affixed. Any damage to road elements and street furniture etc. caused by the hanging or dismantling of election advertisements will be reinstated by the Highways Department at the candidates’ cost to the satisfaction of the Highways Department.
- (8) Candidates shall at their own expense and to the satisfaction of the Highways Department remove the election advertisements when they are found obstructing any maintenance, improvement or repair works of the public roads, footbridges or street furniture. The election advertisements may be removed without prior notice to the candidates if they obstruct pedestrians or vehicular traffic, or due to the

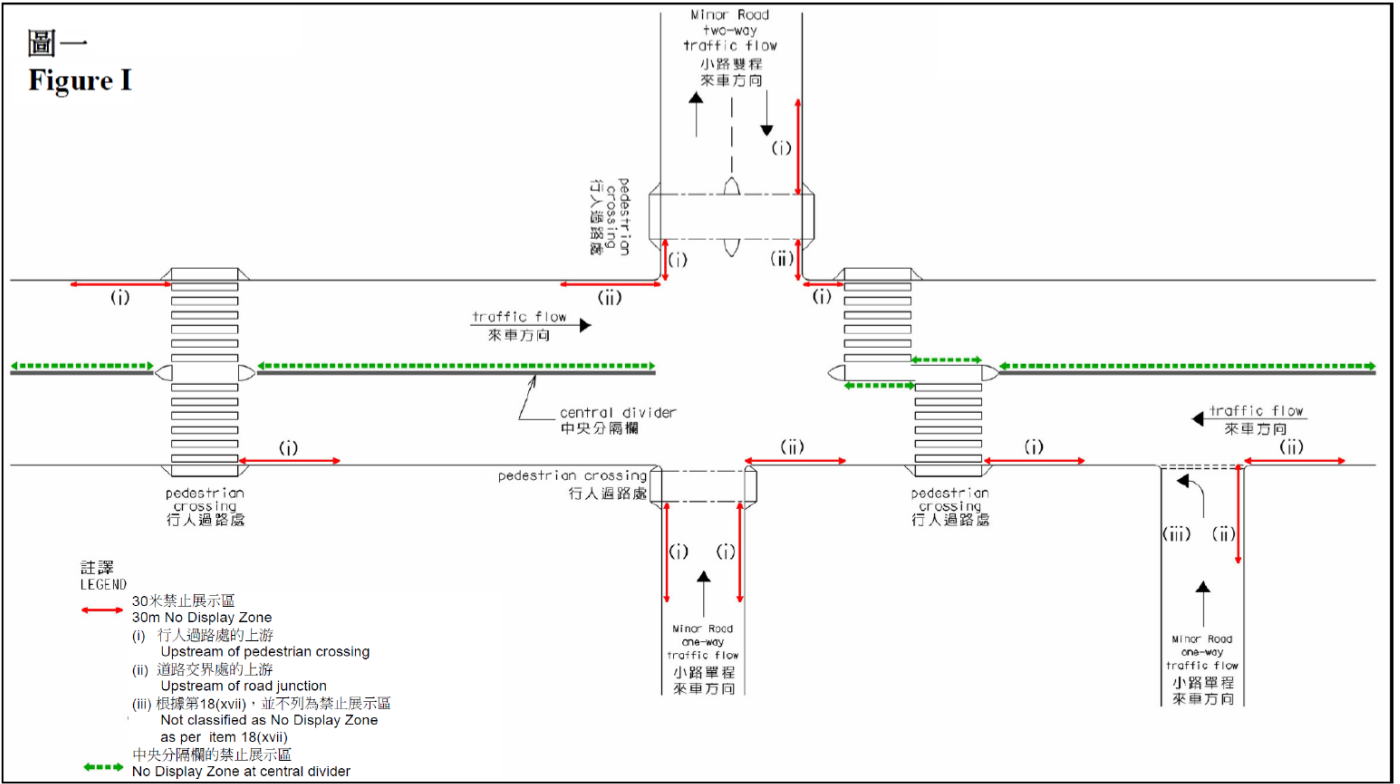
carrying out of any emergency repair works or if the election advertisements may be affected by such works. In such case, any removal cost will be recovered from the candidates concerned.

- (9) No electronic speakers or amplifiers shall be affixed or placed next to any structure.
- (10) The name of the constituency in which the candidates are contesting should be clearly stated in his/her election advertisements.
- (11) In respect of joint election advertisements displayed by a candidate and another candidate, the name of the constituency of each of the candidate advertised should be stated clearly in that advertisement. It is important to ensure that the total area of all the spaces actually occupied for joint advertisements and for advertising each one of the joint candidates (i.e. measured by the dimension of election advertisements) does not exceed the total area of the designated spots allocated to each of the candidates and the size restrictions specified in para.(3) above.
- (12) For environment protection, candidates should adopt various measures to reduce paper consumption and recycle waste papers and PVC banners.
- (13) The election advertisements, fasteners, cable ties and stickers shall be removed within 10 days after the polling day, i.e. by **29 December 2021**. Failure to do so may result in prosecution being brought against the candidates concerned and such advertisements being removed and seized by the said authorities as appropriate. The cost of removal will also be recovered from the candidates and will constitute election expenses which should be included in the election return of the relevant candidates.
- (14) The authorizations and permissions for the display of election advertisements may be revoked and withdrawn by any one of the said authorities at any time, especially if candidates fail to observe or comply with any of the conditions contained herein. In addition, if candidates are not validly nominated, disqualified, or their constituency becomes uncontested upon death, invalid nomination or disqualification of other candidates, the authorizations and permissions concerned may also be revoked and withdrawn by any one of the said authorities. Whether notice of revocation and withdrawal and whether notice of requirement of removal will be given to a candidate is at the absolute discretion of the said authorities. In such a case,
 - (i) (a) if a candidate is given the aforesaid notice, he/she shall immediately remove or remove within the specified time in the relevant notice at his/her own expense all election advertisements to the satisfaction of the said authorities. Failure to do so may result in such advertisements being removed or seized by any one of the said authorities and prosecution being brought against the candidate. The cost of removal will also be recovered from the candidate by the said authorities and will constitute election expenses; or
 - (b) if a candidate is not given the aforesaid notice, such advertisements will be removed and seized by any of the said authorities and prosecution may be brought against the candidate. The cost of removal will also be recovered from the candidate by the said authorities and will constitute election expenses;
 - (ii) in the case that the authorization and permission for the display of election advertisements at a certain spot is revoked and withdrawn by any one of the said authorities as the spot is not suitable for displaying election advertisements due to repair works or other unexpected causes, the authority concerned may allocate to the candidate concerned another spot subject to such a spot being available; and
 - (iii) Candidates should note that, if a designated spot allocated to a particular candidate is no longer suitable for use due to any reason or circumstances but the Returning Officer cannot identify other suitable designated spot as a replacement for the candidate concerned, to ensure the fairness of the election, the Returning Officer may revoke the authorization and permission for some of the designated spots allocated to other candidate(s) contesting in the same constituency so that each candidate competing in the same constituency will be allocated the same number of designated spots.

- (15) Where election advertisements are removed and seized by any one of the said authorities, they will be kept as evidence, disposed of or returned upon application, in accordance with the relevant law.
- (16) Candidates are responsible for the election advertisements and the contents thereof and agree to indemnify and keep indemnified the Government of the Hong Kong Special Administrative Region and/or any of its officers against all liabilities, costs, expenses, actions, proceedings, claims and demands arising out of or in connection with the permission granted by the said authorities for the display of the election advertisements.
- (17) These authorizations and permissions are given to the candidate personally. The display locations allocated to the candidate are not transferable or exchangeable for any other spot.
- (18) If a candidate no longer wishes to use one or more designated spots allocated to him/her, the candidate should inform the Returning Officer in writing within one week after the allocation of those spots. Upon request by any other candidate of the same constituency, the Returning Officer, if he/she considers appropriate, will re-allocate by agreement or by the drawing of lots the designated spots amongst all other candidates who are eligible to be allocated with designated spots of the same constituency.
- (19) Designated spots will not be identified at the following structures/locations. Candidates shall not erect any election advertisements at the following structures/locations -
- (i) within the boundaries of the polling station, including its outer walls;
 - (ii) road signs;
 - (iii) railings at or near bus stops and bus termini;
 - (iv) external faces of footbridges, highways and flyovers;
 - (v) lamp posts;
 - (vi) pavements (e.g. nailing boards to the ground);
 - (vii) central dividers on carriageways;
 - (viii) within 30 metres on the traffic upstream side of government built pedestrian crossings, including signal-controlled crossings, zebra crossings or cautionary crossing;
 - (ix) within 30 metres on the traffic upstream side of all road junctions, but location within a one-way street near junction will not be subject to this restriction if they do not obstruct the views of drivers getting on to the major road; and
 - (x) trees, plants, directional signs or roadside planters under the management of Leisure and Cultural Services Department.

A plan illustrating the requirements of subparagraphs (vii) to (ix) is at Figure I.

圖一
Figure I



(20) The Registration and Electoral Office and/or the said authorities hereby reserve(s) the right to make any amendments to this Conditions of Display without any prior notice.

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