

Section B

Chapter 27: Arrangements on Display of Publicity Materials (PMs) and Arrangements on Electioneering Activities during Election Period

Arrangements on Display of PMs

1. To ensure fairness and neatness in the display of PMs, such as banners/ publicity boards, posters and pamphlets/ leaflets, display zones/ display spots have been designated. All members of the Legislative Council (LC) or District Councils (DCs), local Non-governmental Organisations (NGOs), local Residents' Associations and Care Team, and deserving applications from other approved charitable/ non-profit making organisations may make use of these spots to display PMs or deliver PMs into the mail boxes of tenants. The applicant should be responsible for the contents of his/ her PMs and shall indemnify the Housing Authority (HA) and Housing Department (HD) against all claims, losses and damages as a consequence of or arising from the display or delivery of or any matter in relation to such PMs. Location of the display zones/ display spots may be reviewed and altered according to changing need without prior notice. Other regulations are appended below –

(A) Designated display spots in public rental housing (PRH) estate are provided for display of PMs by all Councillors, and local Resident Associations and Care Team or Non-governmental Organisations (NGOs) to disseminate information to residents on their services, activities and other issues of general public interests. PMs displayed should be informative, welfare-/ service-providing and non-profit-making in nature; and should not carry any messages that are unlawful, obscene, defamatory, insinuating, criticising or denouncing individual persons/ parties. This is to avoid applicants using it as a platform for mutually criticising and causing disputes within the local community in order that a harmonious, safe and peaceful living environment can be maintained. We will review the overall contents of PMs, not limited to specific words/ images/ photos. PMs that criticising or monitoring the government on policy implementation, or the business operations of public organisations/ public utilities companies may normally be allowed if they comply with the guidelines as mentioned above.

(i) Banners/ Publicity Boards ^(Note)

- (a) Each DC member returned by District Council Geographical Constituency (DCGC) will be given a reserved quota for display of one banner/ publicity board at each banner/ publicity board display zone of the estate covered by his/ her DC constituency, but in total not more than two in an estate within his/ her DC constituency.

- (b) Written applications from other eligible applicants ^{Note 1} will be processed on estate basis. All applicants including elected DC members with reserved quotas, together with a copy of the banner/ publicity board, should be submitted between 7 to 20 working days prior to the commencement of the display period to the concerned estate office for processing.
 - (c) Owing to limited display space in the estates, applications will be limited to only 2 banners/ publicity boards at different banner/ publicity board display zones, and will be determined by ballot. Such arrangements are not applicable to elected DC members with reserved quotas.
 - (d) Size of the displayed banners/ publicity boards should not exceed 1 m x 2.5 m.
 - (e) Display period starts from the first day of the month as designated by estate office and would not exceed 2 months. The applicant can change the contents of the banners/ publicity boards once within the two-month display period subject to the prior approval of the estate office. A duly completed Application Form, together with a copy of the banner/ publicity board with new content, should be submitted to the estate office 7 working days prior to the change.
 - (f) For the sake of safety, publicity boards are preferably fixed on railings only.
- (ii) **Posters** ^(Note)
- (a) A reserved quota of one A3-size or two A4-size posters at each poster display zone of each estate covered by his/ her DC constituency, is allowed for each elected DC member returned by District Council Geographical Constituency (DCGC). Each of the elected LC member of the LC geographical constituency concerned is also allowed to display one A3-size or two A4-size posters at each poster display zone under reserved quota in his/ her constituency.
 - (b) In addition, a total of not less than fifteen A3-size or thirty A4-size quotas for display of posters are reserved for DC members from District Committee Constituency (DCC), appointed members and ex-officio members, and a total of ten A3-size or twenty A4-size quotas are also reserved for the LC members from Election Committee Constituency and Functional Constituencies, which will be processed on a “first-come-first-served” basis, with one A3-size or two A4-size posters for each quota.

- (c) Applications from other eligible applicants ^{Note 1} will be on estate basis, which will be processed on a “first-come-first-served” basis. Only one application for one A3 size or two A4 size posters at each poster display zone of the estate is allowed for each round of application.
- (d) Consent of the estate office evidenced by estate office chop stamped on the posters concerned should be sought by the applicant or his/her representative in person prior to the display of posters at the posters display zone.
- (e) All displayed posters will be cleared before 9:00 a.m. on the 1st, 11th and 21st of each month regardless of the approval dates.
- (f) In view of the limited space available at the poster display zone, posters larger than A3 size (i.e. 42cm x 30cm) will not be accepted.

(iii) **Pamphlets/ Leaflets/ Work Reports**

PMs not larger than A4-size may also be placed at tower guard counters for collection by tenants for not more than two weeks upon approval by the estate office. A duly completed application form, together with a copy of the PM should be submitted to the estate office two working days in advance. Uncollected pamphlets/ leaflets will be removed for recycling purpose upon expiry of the approval period.

(iv) **Vetting and Appeal Arrangement**

It usually takes two working days to complete the approval/ reject of an application for display of PMs by estate office. To maintain consistency in handling applications among estates offices, PMs with complicated or controversial contents will be referred to the Panel ^{Note 2} at Headquarters for review. Should applicants not satisfy with the Panel’s decision and lodge appeal, the Panel will bring up the case to the subject Senior Housing Manager or even higher up to Chief Housing Manager at headquarters level for further review. Estate staff will then inform the applicants the progress of the review/ appeal or the final outcome.

(B) PMs directly delivered into tenants’ mail boxes (such as pamphlets/ leaflets/ work reports) should not carry messages that are unlawful, obscene, defamatory, or insinuating and profit-making in nature, also should not criticise or denounce individual persons/ parties.

Applications for direct delivery of PMs into tenants’ mail boxes by members of the LC or DCs or local NGOs, charitable/ non-profit-making organisations, may be entertained (excluding those tenants who have notified the estate office of their “opt-out arrangement” in respect of direct delivery of PMs). Applicants should be responsible for the PMs delivered. With a view to maintaining a harmonious, safe

and peaceful living environment to our residents, it should not be used as a platform for mutually criticism, thus causing disputes within the local community. A written undertaking should be submitted to respective estate office two working days prior to the delivery.

(C) Removal of Displayed PMs

PMs for which approval has not been given, or it has been revoked or those breaching display conditions, will be cleared away and disposed of without prior notice. The administrative cost may be recovered from the respective applicants/ organisations.

(D) Management/ Regulatory Measures

Apart from the actions mentioned in paragraph (C) above, management/ regulatory measures may also be taken. If non-compliance is first found, an advisory letter will be issued to the applicant/ organisation. In the event of recurrence within 6 months from the first non-compliance, a warning letter will be issued to the applicant/ organisation. In case of repeated recurrence of non-compliance within 6 months again from the date of the last recurrence, applications for the same type of PM from the same applicant will be stopped processing/ accepting for one time (for banners /publicity boards) or for a period of 30 calendar days (for other PMs).

2. The approval for the display of PMs, direct delivery of PMs into tenants' mail boxes, or placing PMs at tower guard counters/ guard posts, may be revoked at any time without prior notice. PMs with commercial elements or applications from an individual acting on his/ her own private capacity for display or delivery into tenants' mail boxes, would not be approved.
3. HD reserves the right to disqualify the application of Applicant/ Organisation concerned on the grounds that the Applicant/ Organisation has engaged, is engaging, or is reasonably believed to have engaged or be engaging in acts or activities that are likely to cause or constitute the occurrence of offences endangering national security or otherwise the exclusion is necessary in the interest of national security, or is necessary to protect the public interest of Hong Kong, public morals, public order or public safety.
4. Without limitation to the first sentence in paragraph 2 above, with respect to PMs for display, starting from 2 weeks before the beginning of the election period^{Note 3} to 2 weeks after the end of the election period of a public election, the HA/ HD may, depending on the needs, temporarily suspend the processing of applications and/ or revoke the approvals already given, in respect of all or some display spots. For the purposes of this paragraph, "public election" means an election (including general election, ordinary election and by-election) of the Chief Executive, the Election Committee subsector(s), the Legislative Council, the District Council(s) and an election (including ordinary election and by-election) as defined from time to time under the Rural Representative Election Ordinance (Cap. 576). Approvals already given to an incumbent member of the Legislative Council or District Council will not normally be revoked where the public election in question is a by-election of the Chief Executive, the Election Committee subsector(s), Legislative Council or District Council, or an election (including ordinary election and by-election) as defined from time to time under the Rural Representative Election Ordinance (Cap.

576), provided that the relevant member is not a candidate in the said election, and provided that he/ she continues to comply with the terms and conditions set out in these Guidelines, including paragraph 1(A). **The contents of the relevant PMs to be displayed shall not promote or prejudice the election of any candidate in any public election, nor shall PMs be displayed for such purposes.**

Arrangements on Electioneering Activities during Election Period

1. HA has always been committed to assisting the public elections and providing a platform for candidates for holding electioneering activities in equality and fairness in public rental housing (PRH) estates.

2. Holding electioneering activities in PRH estates

(i) Delivery of election advertisements (EAs) into residents' mail boxes

Candidates must apply at least two clear working days ^{Note 4} in advance and prior approval from Estate Office concerned is required.

(ii) Visits to Domestic Tenants

(a) Candidates must apply at least two clear working days ^{Note 4} in advance and prior approval from Estate Office concerned is required.

(b) The first-come-first-served principle does not apply.

(c) If two or more applications for the same session of a day at the same housing block are received two clear working days ^{Note 4} before the intended visits, the candidates will be advised by the Estate Office concerned to negotiate among themselves for a compromise of the home visit arrangement. If a compromise cannot be reached, the allocation of sessions for conducting the home visits in individual housing blocks will be determined by drawing of lots in the presence of the candidates or their election agents, if possible, at a time decided by the Estate Office concerned.

(iii) Holding election meetings/ mobile exhibitions/ electioneering activities in PRH estates

(a) Candidates must apply at least two clear working days ^{Note 4} in advance and prior approval from Estate Office concerned is required.

(b) The first-come-first-served principle does not apply.

(c) If two or more applications for the same venue and the same period are received two clear working days ^{Note 4} before the election meeting/ mobile exhibitions/ electioneering activity takes place, the applicants will be advised by the Estate Office concerned to negotiate among themselves to reach a compromise. If a compromise cannot be reached, the venue will be

allocated by drawing of lots in the presence of the candidates or their election agents, if possible, at a time decided by the Estate Office concerned.

3. Having referenced to the arrangements of the Electoral and Affairs Committee (EAC) and relevant Government Departments/ Organisations, HA adjusted its arrangements on electioneering activities during election period. As the allocation of the designated spots for display of election advertisements, of which include the designated spots under the purview of HA, would be determined after the Lots Drawing Session held by EAC for the candidates, HA only allows the candidates to launch their electioneering activities in PRH estates on the day after the Lots Drawing Session AND after the Eligibility Review Committee has decided that they are validly nominated.

Enquiry

This website provides general information for reference purpose only. For details, please contact the concerned estate office.

Note –

Applications from government departments will be decided by the Estate Office having regard to local situations.

Note 1 Other eligible applicants include Resident Associations (RAs) in the estate, local non-governmental organisations (NGOs), other registered charitable/ non-profit-making organisations and all LC and DC members.

Note 2 The Panel comprises four Housing Managers.

Note 3 According to the respective electoral regulation, “election period” is defined as the period beginning on the first day of the nomination period and ending on the day on which the polling ends, or on the day on which a declaration is made under section 22 of the Chief Executive Election Ordinance (Cap. 569), under section 19 or 22 of the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I), under section 46 of the Legislative Council Ordinance (Cap. 542) or section 22C of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), under section 39 of the District Councils Ordinance (Cap. 547), or under section 29 of the Rural Representative Election Ordinance (Cap. 576) or section 19 of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541L) in respect of the elections of the Chief Executive, the Election Committee subsector(s), the Legislative Council, the District Council(s) and elections under the Rural Representative Election Ordinance (Cap. 576) respectively.

Note 4 Counting of “two clear working days” – Only working days are counted.