

招致選舉開支授權書

AUTHORIZATION TO INCUR ELECTION EXPENSES

《選舉（舞弊及非法行為）條例》（第 554 章）第 23 及 24 條及

《選舉程序（鄉郊代表選舉）規例》（第 541L 章）第 23 條

Sections 23 and 24 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and
Section 23 of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 L)

鄉郊補選（*原居民代表／居民代表／街坊代表）

Rural By-election

(*Indigenous Inhabitant Representative/ Resident Representative/ Kaifong Representative)

鄉事委員會

村／墟鎮

Rural Committee

Village/ Market Town

補選日期：_____年_____月_____日

Date of By-election：_____

〔備註：在填寫此通知書前，請參閱《填寫招致選舉開支授權書說明》（說明）。〕

[Note: Before completing this authorization, please read the "Notes on Completion of Authorization to Incur Election Expenses"(Note(s)).]

第一部分 授權（由候選人填寫）

PART I AUTHORIZATION (To be completed by candidate)

1. 我是上述補選的候選人，現授權下述人士為我的選舉開支代理人，以代表我在上述補選中或與上述補選有關的情況下招致選舉開支－

I, the candidate for the above-named By-election, hereby authorize the following person to act as my election expense agent to incur election expenses on my behalf at or in connection with the above By-election –

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

身分證明文件（請註明類別及號碼）（見說明第 4 項）：_____

Identity Document (please specify Type and Number) (see Note 4)

聯絡電話：_____

Contact Telephone Number

住址：_____

Residential

Address

2. 我現授權上述人士代表我招致選舉開支，最高限額為港幣_____元。該指定限額包括各項應計算入選舉開支的以實物抵付形式作出的捐贈（以公允而合理價值作估值）。（請參閱說明第 7 項）

I hereby authorize the above-named person to incur on my behalf election expenses up to a maximum amount of HK\$_____. This specified amount includes all expenses covered by donations in kind (assessed at a fair and reasonable value) which must be accounted for (see Note 7).

- *3. 本授權取代在 _____（日期）給予上述人士的授權，該原有授權的最高限額為港幣_____元。

This authorization supersedes the previous authorization dated _____ (date) to the above-named person in respect of a maximum amount of HK\$_____.

4. 我明白，我須為我整體的選舉開支金額負責。倘若我及／或我的選舉開支代理人所招致的選舉開支總額超逾規定上限，除非我能證明任何超額開支是在並非因我疏忽，以及在未經我的同意或授權的情況下所招致的，否則我要負抵觸法例之責。

I understand that I shall be responsible for the overall amount of my election expenses. If the total amount incurred by me and/or by my election expense agent(s) exceeds the prescribed limit, I shall be liable to contravening the law, unless I can prove that the excess was incurred without negligence on my part and without my consent or authorization.

5. 我可隨時將由我簽署的書面通知（表格編號：HAD/C4/By-E）送交有關鄉郊地區的選舉主任，以撤銷此授權。但在選舉主任接獲撤銷授權通知書前招致的獲授權選舉開支，須計算在我的選舉開支總額內。

This authorization may be revoked by me at any time by signing and delivering to the Returning Officer for the relevant rural area a notice of revocation in the prescribed form (Form no.: HAD/C4/By-E). However, election expenses incurred under or pursuant to this authorization before such notice of revocation is received by the Returning Officer shall be counted towards my total election expenses.

候選人簽署：_____

Signature of Candidate

候選人姓名（正楷）：_____

Name of Candidate (in BLOCK LETTERS) (姓 Surname) (名 Other name)

香港身分證號碼：_____

Hong Kong Identity Card Number

日期：_____

Date

第二部分 接受授權（由接受授權招致選舉開支的人填寫）

Part II ACCEPTANCE (To be completed by the person authorized to incur election expenses)

6. 我的個人資料已列於上述第 1 段，我現接受本授權書第一部分所述候選人給予我之授權。
I, whose particulars are set out in paragraph 1 above, hereby accept the authorization given to me by the candidate named in Part I of this authorization.

- *7. （如沒有填寫上述第 3 段以取代原有之授權，請刪去本段）
(Please cross out this paragraph if paragraph 3 above has not been completed to supersede the previous authorization.)

我確認我代表候選人已招致的選舉開支並未超逾上述第 2 段或第 3 段指定的限額。

I hereby confirm that I have not incurred election expenses on behalf of the candidate in excess of the amount specified in paragraph 2 above or that specified in paragraph 3 above.

8. 我明白我代表候選人所招致的選舉開支不可超逾上述第 2 段指定的限額，否則，我將要負抵觸法例之責。

I understand that I shall not incur any election expenses on behalf of the candidate in excess of the amount as specified in paragraph 2 above. If I do, I shall be liable to contravening the law.

9. 為了協助候選人呈交「選舉開支及接受選舉捐贈之申報書及聲明書」（表格編號：HAD/C1/By-E），我須就代表候選人招致的所有選舉開支記存帳目，並須在補選結束後，在切實可行的情況下，盡快向候選人呈交—

In order to assist the candidate in filing the “Return and Declaration of Election Expenses and Election Donations” (Form no.: HAD/C1/By-E), I shall keep accounts of all election expenses incurred by me on behalf of the candidate and shall as soon as practicable after the by-election submit to the candidate—

- (a) 一份詳細的開支申報表，並就每項 100 元或以上的開支附上發票及收據，作為證明（為免生疑問，此要求不適用於由包含貨品或服務的捐贈所完全抵付的選舉開支）；

a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of \$100 or above (for the avoidance of doubt, this requirement does not apply to election expenses fully met by an election donation consisting of goods or services);

- (b) 如某項選舉開支包括了捐贈予候選人而用於促使候選人當選或阻礙其他候選人當選的物品或服務的價值，一份列明該些物品及服務的詳細資料（如描述、數量），捐贈日期及其合理估值的申報書〔見說明第 7 項〕；
if any election expense includes the value of goods and/ or services donated to the candidate and which are used for promoting the election of the candidate or prejudicing the election of other candidates, a statement showing the full details (such as descriptions and quantities), date of donation and assessed reasonable value of the goods and services (see Note 7);
- (c) 就(b)段所指的某項或某些來自同一捐贈者的捐贈價值為 1,000 元以上，附上由該捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號為 HAD/C2/By-E）。
if the value of a donation(s) referred to in (b) from the same donor exceeds \$1,000, a receipt of donation signed by the donor (i.e. “Standard Receipt for Election Donations”, the Form no. of which is HAD/C2/By-E).

接受授權招致選舉開支的人簽署：_____

Signature of the Person Authorized to Incur Election Expenses

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

日期：_____

Date

第三部分 證明（由見證人填寫）

Part III ATTESTATION (To be completed by a witness)

10. 我聲明本授權書第一部分及第二部分是於我見證下填寫及簽署。
I hereby declare that Parts I and II of this authorization were completed and signed in my presence.

11. 我的個人資料如下—
My particulars are as follows –

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

身分證明文件（請註明類別及號碼）（見說明第 4 項）：_____

Identity Document (please specify Type and Number) (see Note 4)

住址：_____

Residential
Address

日期：_____ 見證人簽署：_____

Date

Signature of Witness

備註： * 請刪去不適用者
Note: * Please delete whichever is inapplicable

填寫招致選舉開支授權書說明

Notes on Completion of Authorization to Incur Election Expenses

1. 除非候選人以指明表格明文另作示明，有關授權須當作為是次補選（不論投票是在預定日期進行或遭延遲或押後至較後日期進行）而作出。
The authorization is to be regarded as being made for this by-election (regardless of whether the poll is to be conducted on the scheduled date or is postponed or adjourned to a later date), unless the candidate expressly indicates otherwise in the specified form.
2. 只有候選人或候選人預先以書面授權的人方可招致任何選舉開支。獲如此授權的人又稱為選舉開支代理人。候選人可授權一人或多於一人代其招致選舉開支。“選舉開支”就某項選舉的候選人而言，指在選舉期間前、在選舉期間內或在選舉期間後，由該候選人或由他人代該候選人為促使該候選人當選，或為阻礙另一候選人當選，而招致或將招致的開支，並包括包含貨品及服務而用於上述用途的選舉捐贈的價值。只有年滿 18 歲的人士可獲如此授權。然而，候選人應確保他/她所授權的人士並非選舉主任、助理選舉主任、或任何已獲選舉主任／民政事務總署署長委任協助進行投票或點票的人士（通常為政府公職人員）。
Only a candidate or person(s) with the candidate's prior authorization in writing may incur election expenses. A person so authorized is also known as an election expense agent. A candidate may authorize one or more persons to incur election expenses on his/her behalf. “Election expenses”, in relation to a candidate at an election, means expenses incurred or to be incurred, before, during or after the election period, by the candidate or another person representing the candidate for the purpose of promoting the election of the candidate; or prejudicing the election of another candidate, and includes the value of election donations consisting of goods and services used for that purpose. Only a person who has attained the age of 18 years can be so authorized. However, a candidate should ensure that the person authorized is not a Returning Officer, Assistant Returning Officer, or any person (usually a Government officer) already appointed by the Returning Officer/the Director of Home Affairs to assist at the poll or the count.
3. 一份授權書只能用作授權一位人士。如未得候選人書面授權，任何人士皆不可招致選舉開支。候選人必須確保獲授權的選舉開支限額總數不會超出適用於有關鄉郊地區的選舉開支上限。
A separate authorization must be used for authorizing each person. No election expenses shall be incurred by any person unless he/she is so authorized by a candidate in writing. A candidate must ensure that the total authorized amount of election expenses will not exceed the election expenses ceiling applicable to the relevant rural area.
4. 本授權書第一部分應由候選人填寫（包括獲授權招致選舉開支的人的姓名、身分證文件號碼及住址）及簽署。第二部分應由獲授權招致選舉開支的人填寫及簽署。第三部分應由一位見證人填寫及簽署。任何年滿 18 歲並持有身分證文件的人士均可擔任見證人。根據《鄉郊代表選舉條例》（第 576 章）第 2(1)條，“身分證文件”（identity document）指 –
Part I of this authorisation should be completed (with name, identity document number and residential address of the person authorized to incur election expenses) and signed by the candidate. Part II should be completed and signed by the person authorized to incur election expenses. Part III should be completed and signed by a witness who can be any person in possession of an identity document and aged 18 years or over. According to section 2(1) of the Rural Representative Election Ordinance (Cap. 576), “identity document” (身分證文件) means –
 - (a) 身分證；或
an identity card; or
 - (b) 向某人發出而可獲選舉登記主任接受為該人的身分證的任何其他文件。
any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity.
5. 填妥的授權書的文本，可藉專人送遞、郵遞、電子郵件或圖文傳真方式送交有關的選舉主任或（如未委任選舉主任）民政事務總署署長。有關授權只有在有關鄉郊地區的選舉主任或民政事務總署署長收到後方為有效。根據《選舉（舞弊及非法行為）條例》（第 554 章）第 23(7)條，除非授權在有關的選舉期間結束前被撤銷，否則該等授權持續有效，直至有關的選舉期間結束為止。根據該條例第 2(1)條，“選舉期間”指由選舉提名日起，至選舉投票日止的期間。
A copy of the duly completed authorization may be delivered by hand, by post, by electronic mail or by facsimile transmission to the relevant Returning Officer or, if the Returning Officer has not yet been appointed, the Director of Home Affairs. The authorization will be effective only after it is received by the Returning Officer for the relevant rural area or Director of Home Affairs. According to section 23(7) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the authorization remains in force until the end of the relevant election period unless it is revoked earlier. According to section 2(1) of that ordinance, “Election period” means the period beginning with the nomination day for the election and ending with the polling day for the election.
6. 根據《選舉程序（鄉郊代表選舉）規例》（第 541L 章）第 24 條，選舉主任會在切實可行範圍內盡快將收到的每份授權書的副本供公眾查閱。
According to section 24 of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 L), a copy of the authorization will be made available for public inspection as soon as practicable after it is received by the Returning Officer.

7. 如一項開支是由一項包含貨品或服務的捐贈所抵付，則須為該項捐贈作出公平及合理估值，並計算在獲授權招致的選舉開支內。例如候選人或選舉開支代理人安排印刷商免費供應紙張及印刷傳單，則須以該印刷商就該項捐贈的通常收費為估值基礎。選舉開支代理人須把該等捐贈視為選舉開支記存帳目，如該等捐贈價值為 1,000 元以上，並須附上由印刷商簽署的捐贈收據證明（請用「劃一格式選舉捐贈收據」，表格編號為 HAD/C2/By-E）。

If an item of expense is met by a donation consisting of goods or a service, a fair and reasonable assessment of the value of the donation should be made and counted as part of the election expenses authorised to be incurred. For example, if the candidate or the election expense agent arranges a printing company to provide papers and print leaflets free of charge, the normal price charged by the printer for the donation should be adopted as the basis of assessment. This donation should be regarded as an election expenses and should be accounted for by the election expense agent, and in the case of a donation of more than \$1,000 in value, evidenced by a receipt of donation signed by the printer (Please use "Standard Receipt for Election Donations", the form no. of which is HAD/C2/By-E).

8. 為了協助候選人呈交「選舉開支及接受選舉捐贈之申報書及聲明書」（表格編號：HAD/C1/By-E），選舉開支代理人須就招致的所有選舉開支記存帳目，並須在補選後，在切實可行的情況下，盡快向候選人呈交－

In order to assist the candidate in filing the "Return and Declaration of Election Expenses and Election Donations" (Form no.: HAD/C1/By-E), the election expenses agent should keep accounts of all election expenses incurred by him/her on behalf of the candidate and as soon as practicable after the by-election submit to the candidate –

- (a) 一份詳細的開支申報表，並就每項 100 元或以上的開支附上發票及收據，作為證明（為免生疑問，上述附上發票及收據的要求不適用於由包含貨品或服務的捐贈所完全抵付的選舉開支）；
a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of \$100 or above (for the avoidance of doubt, the above-mentioned requirement for invoices and receipts does not apply to election expenses fully met by an election donation consisting of goods or services);
- (b) 如某項選舉開支包括了捐贈予候選人而用於促使候選人當選或阻礙其他候選人當選的物品及／或服務的價值，一份列明該些物品及服務的詳細資料（如描述、數量），捐贈日期及其合理估值的申報書；
if any election expense includes the value of goods and / or services donated to the candidate and which are used for promoting the election of the candidate or prejudicing the election of other candidates, a statement showing the full details (such as descriptions and quantities), date of donation and assessed reasonable value of the goods and services;
- (c) 就(b)段所指的某項或某些來自同一捐贈者的捐贈價值為 1,000 元以上，附上由捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號為 HAD/C2/By-E）。
if the value of a donation(s) referred to in (b) from the same donor exceeds \$1,000, a receipt of donation signed by the donor (i.e. "Standard Receipt for Election Donations", the Form no. of which is HAD/C2/By-E).

9. 根據《選舉（舞弊及非法行為）條例》（第 554 章）第 37(2)條的規定，候選人必須確保「選舉開支及接受選舉捐贈之申報書及聲明書」（表格編號：HAD/C1/By-E）－

Under section 37(2) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the candidate must ensure that the "Return and Declaration of Election Expenses and Election Donations" (Form no.: HAD/C1/By-E) is lodged –

- (a) 在選舉結果公布的日期後的 30 天屆滿之前提交；及
not later than 30 days after the date of publication of the result of the election; and
- (b) 如選舉程序根據有關的選舉法已終止，則在宣布該選舉程序終止的日期後的 30 天屆滿之前提交；及
if the proceedings for the election have been terminated under the relevant electoral law, not later than 30 days after the declaration of the termination of the election proceedings; and
- (c) 如選舉根據有關的選舉法未能完成，則在宣布該項選舉未能完成的日期後的 30 天屆滿之前提交，
if the election has failed under the relevant electoral law, not later than 30 days after the declaration of the failure of the election,

或在原訟法庭根據上述條例第 40 條容許的延長限期內提交。

or within such extended period as may be allowed by the Court of First Instance under section 40 of the said Ordinance.

10. 候選人在填寫此授權書時如有任何問題，請在辦公時間內致鄉郊代表選舉熱線 2152 1521。
If the candidate has any difficulty in completing this authorization, please contact the Rural Representative Election Hotline at 2152 1521 during office hours.

11. 請注意下列有關在此通知書提供個人資料的說明－

Please note the following with regard to the personal data supplied in connection with this authorization –

(a) **資料用途**

就此授權書提供的個人及其他有關的資料，會供民政事務總署、有關鄉郊地區的選舉主任及有關的政府部門用於與選舉有關的用途。

Purpose of Collection

The personal data and other related information supplied in connection with this authorization will be used by the Home Affairs Department, the Returning Officer for the relevant rural area and government departments concerned for

election-related purposes.

(b) **資料轉介**

此授權書將根據《選舉程序（鄉郊代表選舉）規例》（第 541L 章）提供給公眾查閱。在展示前，授權書內所有身分證明文件號碼、聯絡電話及住址將會被遮蓋。此授權書內的資料可能會提供予其他獲授權的部門／機構／人士，包括但不限於法院，用於與選舉有關的用途。

Transfer of Information

This authorization will be made available for public inspection in accordance with the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541L). All identity document numbers, contact telephone number and residential addresses provided in the authorization will be covered before display. The information concerned may also be provided to other authorized departments/organizations/persons including but not limited to the law courts for election-related purposes.

(c) **索閱個人資料**

任何人有權根據《個人資料（私隱）條例》（第 486 章）的條文要求索閱及改正他／她所提供的個人資料。

Access to Personal Data

A person has the right to request access to and correction of the personal data he/she supplied in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **個人資料保障原則**

請注意，候選人在收集第三者的個人資料以填寫此授權書時，須遵守《個人資料（私隱）條例》（第 486 章）附表 1 的保障資料原則，特別是第 4 原則，即採取所有切實可行的步驟，以確保資料受到保障而不受未獲准許的或意外的查閱和處理。

Personal Data Protection Principle

Candidates are reminded to observe the Data Protection Principles in Schedule 1 to the Personal Data (Privacy) Ordinance (Cap.486) in collecting personal data of a third person in completing this authorization, in particular Principle 4 concerning the requirement to take all practicable steps to ensure that personal data are protected against unauthorized or accidental access and processing.

(e) **查詢**

關於透過此授權書收集的個人資料的查詢（包括索閱及改正個人資料），應向民政事務總署署長提出（地址：香港灣仔軒尼詩道 130 號修頓中心 30 樓）。

Enquiry

Enquiries concerning the personal data collected by means of this authorization (including requests for access to and corrections of personal data) should be addressed to the Director of Home Affairs at 30th Floor, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong.

民政事務總署
2016 年 4 月
Home Affairs Department
April 2016