

接受選舉捐贈預先申報書及聲明書
ADVANCE RETURN AND DECLARATION OF ELECTION DONATIONS

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 : _____

[附註：請用正楷填寫此申報書及聲明書及參閱《填寫接受選舉捐贈預先申報書及聲明書說明》。]
[Note: Please use BLOCK LETTERS in completing this return and declaration and read the "Explanatory Notes on Completion of Advance Return and Declaration of Election Donations".]

1. 我 _____, 住址為 _____, 將在上述補選中參選。

I, _____ of _____ will stand as a candidate at the above By-election.

2. 我現就已接受之選舉捐贈預先申報如下(見說明第 10 項)。稍後我會根據《選舉(舞弊及非法行為)條例》(第 554 章)第 37 條之規定,向選舉主任呈交「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)。當中會包括所有在此申報書及聲明書內申報的選舉捐贈。
I hereby make the following return of election donations received in advance (see Note 10). I will submit to the Returning Officer "Return and Declaration of Election Expenses and Election Donations" (form no.: HAD/C1/By-E) under section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) later, which will include all election donations, accounted for in this this return and declaration .

各項選舉捐贈一覽表(見備註(2))
SUMMARY OF ELECTION DONATIONS RECEIVED(see Remarks(2))
(詳情列於以下各有關部分)
(with details supplied under the sections that follow)

1,000 元或以下之選舉捐贈 (A 部) _____ \$ _____ 元
Election Donations of \$1,000 or less (Section A)

1,000 元以上之選舉捐贈 (B 部) _____ \$ _____ 元
Election Donations of more than \$1,000 (Section B) 總數 \$ _____ 元
Total

減除: 已處置之選舉捐贈 (如有此情況) (C 部) (見備註 (3)) _____ \$ _____ 元
LESS: Election Donations disposed of (if any) (Section C) (see Remarks (3))

用於選舉中之接受捐贈總額 \$ _____ 元
Total of donations used for the election

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

B 部 : 1,000 元以上之選舉捐贈

請在下表填報每名（在一次或多次之選舉捐贈中）選舉捐贈總額在 1,000 元以上之捐贈者的姓名或名稱及地址，並附上就有關選舉捐贈發給捐贈者之「劃一格式選舉捐贈收據」（表格編號：HAD/C2/By-E）副本。收據上應順序註明編號，而編配予每一收據的編號應填寫在“收據”一欄內的相應位置，以資對照。

Section B : Election Donations of more than \$1,000

Please enter the name and address of each donor who has donated more than \$1,000 (in one or more election donations). Each entry must be accompanied with a copy of the “Standard Receipt for Election Donations” (form no.: HAD/C2/By-E) issued to the donor. All receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each receipt should be correspondingly entered in the “Receipt” column.

捐贈者（見備註（4）） Donor (see Remarks (4))		選舉捐贈說明 Description of Election Donation	選舉捐贈金額或 價值 Amount or Value of Election Donation (備註（1）) (see Remarks (1))	收據 Receipt
姓名或名稱 Name	地址 Address			
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
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			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
			\$ 元	
總數 Total			\$ 元	

C 部 : 已處置之選舉捐贈（如有此情況）（見備註（3））
每項填報資料均須附上收款人所發之收據副本，收據上須順序註明編號，而編配予每一收據的編號應填寫在“收據”一欄內的相應位置，以資對照。

Section C : Election Donations disposed of (if any) (see Remarks (3))
Each entry must be accompanied with a copy of the receipt issued by the recipient. All receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each receipt should be correspondingly entered in the “Receipt” column.

屬公共性質的慈善機構或慈善信託的名稱 Name of Charitable Institution or Trust of a Public Character	金額 Amount (備註(1)) (Remarks (1))	收據 Receipt
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
總數 Total	\$ 元	

備註 (1) 在填寫本申報書及聲明書的有關部分，請將金額準確至小數點後兩個位。
Remarks When filling in the relevant sections in this return and declaration, please round the amount to 2 decimal places.

(2) 所接受之選舉捐贈全部均須填報，包括所有以金錢、貨物或服務抵付形式之選舉捐贈，亦應在本選舉開支申報書的相關部分填報。
All election donations accepted must be declared, including all election donations of money, goods or service in kind which must also be accounted for under the relevant sections in this return of election expenses..

(3) (i) 任何由沒有表明姓名或名稱及地址的捐贈者捐助之 1,000 元以上之選舉捐贈；或
(ii) 任何沒有用於償付在選舉開支申報書所填報之選舉開支之選舉捐贈；或
(iii) 任何超出候選人可使用的選舉開支限額的選舉捐贈
均須在呈交選舉申報書之前轉贈候選人所選擇的屬公共性質的慈善機構或慈善信託。如由候選人或由他人代候選人在與選舉有關連的情況下收取的某項選舉捐贈或某項選舉捐贈的一部分沒有用於該用途，亦沒有按照《選舉（舞弊及非法行為）條例》（第 554 章）第 19(3)條處置。選舉申報書則須附有書面解釋，列出沒有按照該條處置該項選舉捐贈或該部分選舉捐贈的理由。

(i) Any election donation of more than \$1,000 which was received from a donor whose name and address are not identified; or
(ii) any election donation which has not been used to defray the election expenses set out in the return of election expenses ; or
(iii) any election donation which is in excess of the limit of election expenses that the candidate is allowed to expend

must be donated to charitable institutions or trusts of a public character chosen by the candidate before the time when the election return is lodged. Where an election donation or part of an election donation that was received by or on behalf of the candidate in connection with the election was not used for that purpose and was not disposed of in accordance with section 19(3) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the election return must be accompanied by a written explanation setting out the reason why it was not disposed of in accordance with that section.

- (4) 捐贈者已在候選人發給他的「劃一格式選舉捐贈收據」上簽署，確認他明白候選人會在其「接受選舉捐贈預先申報書及聲明書」內填報有關捐贈者的姓名及地址，而該申報書及聲明書及有關的收據副本會根據《選舉（舞弊及非法行為）條例》（第 554 章）第 41 條備存於所屬新界民政事務處供公眾查閱。
Donor has signed on the “Standard Receipt for Election Donation” provided by the candidate to confirm his understanding that the candidate will enter in his “Advance Return and Declaration of Election Donations” the name and address of the donor and a copy each of that return and declaration and the relevant receipt will be made available at the concerned District Office in the New Territories for public inspection under section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

3. 我，作為下方簽署的候選人，謹以至誠鄭重聲明，我、我的選舉代理人及任何其他人代表或為我在.....年.....月.....日至.....年.....月.....日期間所接受之各項選舉捐贈總額以及選舉捐贈次數，據我所知及所信，已全部列於本申報書及聲明書內；所有已由我處置之選舉捐贈，亦已按本申報書及聲明書內申報的方式處置。

I, the undersigned candidate, hereby solemnly and sincerely declare that, to the best of my knowledge and belief, the total amount and number of all election donations which have been received by me, my election agent and by any other persons on my behalf or on my account; and all election donations disposed of by me during the period from to are as set out in this return and declaration.

我謹根據《宣誓及聲明條例》（第 11 章）衷誠提出此項聲明，並確信其為真確無訛。

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

聲明人簽署：.....
Signature of Declarant

上述聲明是於.....年.....月.....日由上述聲明人在我面前作出及簽署。

Signed and declared by the above declarant on the day of before me.

*監誓員／太平紳士／持有執業證書的律師簽署.....
Signature of *Commissioner for Oaths/Justice of the Peace/
Solicitor with a practising certificate

*監誓員／太平紳士／持有執業證書的律師姓名.....
Name of *Commissioner for Oaths/Justice of the Peace/
Solicitor with a practising certificate

* 請刪去不適用者

* Please delete whichever is inapplicable

填寫接受選舉捐贈預先申報書及聲明書說明

Explanatory Notes on Completion of Advance Return and Declaration of Election Donations

1. 在填寫此申報書及聲明書前，請細心閱讀《選舉（舞弊及非法行為）條例》（第 554 章）。
Please read the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) carefully before completing this return and declaration.
2. 請用中文或英文填寫此申報書及聲明書，並將填妥的申報書及聲明書交付予所屬鄉郊地區的選舉主任。
Please complete this return and declaration either in Chinese or in English and submit the completed return and declaration to the Returning Officer of relevant Rural Area.
3. 根據《選舉（舞弊及非法行為）條例》（第 554 章），“選舉捐贈”就某項選舉的一名候選人而言，指以下任何捐贈—
 - (a) 為償付或分擔償付該候選人的選舉開支，而給予該候選人或就該候選人而給予的任何金錢；
 - (b) 為促使該候選人當選或阻礙另一名候選人或另一些候選人當選，而給予該候選人或就該候選人而給予的任何貨品，包括由於提供義務服務而附帶給予的貨品；
 - (c) 為促使該候選人當選或阻礙另一名候選人或另一些候選人當選，而向該候選人提供或就該候選人而提供的任何服務，但不包括義務服務。According to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), “election donation”, in relation to a candidate at an election, means any of the following donations –
 - (a) any money given to or in respect of the candidate for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate;
 - (b) any goods given to or in respect of the candidate for the purpose of promoting the election of the candidate or of prejudicing the election of another candidate or other candidates, and includes any goods given incidental to the provision of voluntary service;
 - (c) any service provided to or in respect of the candidate for the purpose of promoting the election of the candidate or of prejudicing the election of another candidate or other candidates, but does not include voluntary service.
4. 收據上應順序註明編號，而編配予每一收據的編號應填寫在“收據”一欄內的相應位置，以資對照。
All receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each receipt should be correspondingly entered in the “Receipt” column.
5. 凡免費獲得之服務及貨品（除義務服務外），均應被視為候選人招致之費用，請在申報書及聲明書內填寫其合理估計的市價。
For services and goods obtained free of charge (except for voluntary service), please put down a fair estimated market value as if expenses were incurred by the candidate.
6. 除非所有顧客一般均可享有有關折扣，否則貨品或服務的市價／正常價格與候選人支付的價格差額應被視為一項選舉捐贈，候選人必須於申報書及聲明書內分別列為選舉捐贈及選舉開支。
Unless the discount is generally available to all customers, the difference between the market/regular price and the price charged is a donation and must be declared and included as an election donation and election expense respectively in the return and declaration.
7. 如任何部分篇幅不敷應用，可採用同樣格式的紙張填寫，然後夾附於本申報書及聲明書。
Please attach additional sheets in the same format to this return and declaration if the space allowed in any section is insufficient.
8. 此等預先申報的選舉捐贈／已處置之選舉捐贈（如有的話），亦須根據《選舉（舞弊及非法行為）條例》（第 554 章）第 37 條，在選舉結果刊登憲報後的 30 天屆滿之前、或根據有關的選舉法宣布該選舉程序終止的日期後的 30 天屆滿之前或根據有關的選舉法宣布該選舉未能完成的日期後的 30 天屆滿之前，列明於呈交給選舉主任的「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）內。
The election donations/election donations disposed of (if any) so disclosed in advance must also be incorporated in the “Return and Declaration of Election Expenses and Election Donations” (form no.: HAD/C1/By-E) to be submitted to the Returning Officer not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law according to section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).
9. 候選人在填寫此表格時如有任何問題，請在辦公時間內致電鄉郊代表選舉熱線 2152 1521。
If the candidate has any difficulty in completing this form, please contact the Rural Representative Election Hotline at 2152 1521 during office hours.

10. 請注意下列有關在此申報書及聲明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 return and declaration-

(a) **資料用途**

就此申報書及聲明書提供的個人及其他有關的資料，會供民政事務總署及選舉主任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 return and declaration will be used by the Home Affairs Department and the Returning Officer for election-related purposes.

(b) **資料轉介**

此申報書及聲明書連同有關單據的副本會供公眾查閱。在展示前，申報書及聲明書內所有身分證明文件號碼(如有此資料)將會被遮蓋。有關的資料可能會提供予其他獲授權的部門或機構，用於與選舉有關的用途。

Transfer of Information

A copy of this return and declaration of election donations and relevant receipts received will be made available for public inspection. All identity document numbers (if any) in the return and declaration will be covered before display.

The information concerned may be provided to other authorized departments or agencies 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 supplied in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **保障個人資料原則**

請注意，候選人在收集第三者的個人資料以填寫有關表格時，須遵守《個人資料(私隱)條例》(第486章)附表1的資料保障原則，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

The candidate is 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 the relevant form, 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**

關於透過此申報書及聲明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 return and declaration (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
2015年10月
Home Affairs Department
October 2015