

選舉開支及接受選舉捐贈之申報書及聲明書
RETURN AND DECLARATION OF ELECTION EXPENSES AND ELECTION DONATIONS

《選舉（舞弊及非法行為）條例》（第 554 章）第 37 條
Section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

第三十四屆鄉議局選舉
ELECTION OF THE 34th TERM OF THE HEUNG YEE KUK
特別議員選舉
ELECTION OF SPECIAL COUNCILLORS

選舉日期： 2015 年 5 月 12 日
Date of Election: 12 May 2015

申報書
FORM OF RETURN

[附註： 請用正楷填寫此表格及小心參閱夾附的《填寫申報書及聲明書說明》。]

Note : You should use BLOCK LETTERS in completing this form and read carefully the attached "Explanatory Notes on Completion of Return and Declaration".]

候選人姓名

Name of Candidate

一． 我乃參加此次選舉之上述候選人。

1. I am the candidate named above at the above Election.

二． 茲將由我及我的選舉開支代理人代我在上述選舉中招致的選舉開支及由我或我的選舉代理人及其他人代表或為我在與上述選舉相關的情況下接受的所有選舉捐贈，申報如下。

2. I hereby make the following return of election expenses incurred by me and by my election expenses agent(s) on my behalf at the above Election, and all election donations received by me or by any other persons on my behalf in connection with the above Election.

各項選舉開支
ELECTION EXPENSES

支出一覽表（詳情列於以下各有關部分）

Summary of expenses (with details supplied under each of the relevant sections below)

候選人個人開支 (A 部).....\$ 元
Candidate's personal expenses (Section A)

選舉聚會之費用 (B 部).....\$ 元
Payments for election meetings (Section B)

代理人及選舉助理之費用 (C 部).....\$ 元
Payments for agents and election assistants (Section C)

選舉廣告之費用 (D 部).....\$ 元
Payments for election advertisements (Section D)

租金、辦公室開支及運輸之費用 (E 部).....\$ 元
Payments for rental, office expenses and transportation (Section E)

雜項支出 (F 部).....\$ 元
Payments for miscellaneous items (Section F)

未支付之索款 (G 部).....\$ 元
Outstanding claims (Section G)

總開支 \$ _____ 元
Total expenditure

A 部 : 候選人個人開支。(例如:製作候選人的個人相片或個人形象設計等之費用。)

Section A : Candidate's personal expenses. (For example, expenses on the production of personal photographs or image design, etc.)

開支性質 Nature of Expenses	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.	\$ 元	
2.	\$ 元	
3.	\$ 元	
4.	\$ 元	
5.	\$ 元	
6.	\$ 元	
7.	\$ 元	
8.	\$ 元	
9.	\$ 元	
10.	\$ 元	
總數 Total	\$ 元	

B 部 : 選舉聚會之費用。(例如:舉辦選舉活動或政治團體舉行誓師大會之費用。)

Section B : Payments for election meetings. (For example, expenses for conducting electioneering functions or launching ceremony of the election campaign by political organisations.)

活動日期 Date of Activity	活動名稱 Name of the Activity	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.		\$ 元	
2.		\$ 元	
3.		\$ 元	
4.		\$ 元	
5.		\$ 元	
6.		\$ 元	
總數 Total		\$ 元	

C 部 : 代理人及選舉助理之費用。

Section C : Payments for agents and election assistants.

代理人類別／被委任人姓名 Types of Agents/Names of Appointees	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
選舉代理人: Election Agent:	\$ 元	
選舉開支代理人: Election Expense Agent(s):	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
選舉助理及拉票人: Election Assistant(s) and Canvasser(s):	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
	\$ 元	
總數 Total	\$ 元	

D 部 : 選舉廣告之費用

Section D : Payments for election advertisements.

應根據已交給選舉主任之「選舉廣告資料摘要」(表格編號: HYK/C/6/2015) 及「已修正的選舉廣告資料通知書」(表格編號: HYK/C/8/2015) (如適用) 所列的選舉廣告數量及種類, 計算及填寫此部分之費用。不論每一項目的開支是否極少, 候選人均須申報每一項目的選舉廣告開支。即使候選人對某項開支的估值為零, 亦需就該項目申報。

The expenditure entered in this section should be calculated based on the quantities and types of election advertisements stated in the “Information Sheet in relation to Election Advertisements” (Form no.: HYK/C/6/2015) and “Notification of Corrected Information in relation to Election Advertisements” (Form no.: HYK/C/8/2015) (if applicable) submitted to the Returning Officer. The candidate should also declare in the form each and every item of expenditure of all election advertisements no matter how minimal the cost will be. The candidate should also declare the item even if the value of the expense is assessed to \$0.

1. 海報

Posters

	印刷日期 Date of Printing	尺寸 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本數目 Number of copies printed	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.					\$ 元	\$ 元	
2.					\$ 元	\$ 元	
3.					\$ 元	\$ 元	
4.					\$ 元	\$ 元	
5.					\$ 元	\$ 元	
6.					\$ 元	\$ 元	
7.					\$ 元	\$ 元	
第 1 項小計 Sub-total of 1						\$ 元	

2. 小冊子

Pamphlets

	印刷日期 Date of Printing	尺寸 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本數目 Number of copies printed	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.					\$ 元	\$ 元	
2.					\$ 元	\$ 元	
3.					\$ 元	\$ 元	
4.					\$ 元	\$ 元	
5.					\$ 元	\$ 元	
6.					\$ 元	\$ 元	
7.					\$ 元	\$ 元	
第 2 項小計 Sub-total of 2						\$ 元	

3. 傳單 (A3 或 A4 或 A5 尺寸的紙張亦應算作傳單。)
Handbills (One-page paper with the size of A3, A4, A5 should also be regarded as handbills.)

	印刷日期 Date of Printing	尺寸 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本數目 Number of copies printed	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.					\$ 元	\$ 元	
2.					\$ 元	\$ 元	
3.					\$ 元	\$ 元	
4.					\$ 元	\$ 元	
5.					\$ 元	\$ 元	
6.					\$ 元	\$ 元	
7.					\$ 元	\$ 元	
第 3 項小計 Sub-total of 3						\$ 元	

4. 其他印刷物品 (請註明有關選舉廣告的類別，例如：報紙廣告、圖文傳真、名片、信封或明信片等。)
Other printed Items (please specify the types of the election advertisements concerned, e.g. newspaper advertisements, facsimile, name cards, envelopes or postcards, etc.)

	類別 Type	印刷日期 Date of Printing	尺寸 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本 數目 Number of copies printed	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.						\$ 元	\$ 元	
2.						\$ 元	\$ 元	
3.						\$ 元	\$ 元	
4.						\$ 元	\$ 元	
5.						\$ 元	\$ 元	
6.						\$ 元	\$ 元	
7.						\$ 元	\$ 元	
第 4 項小計 Sub-total of 4							\$ 元	

5. 橫額
Banners

	製作日期 Date of Production	尺寸 Size/Dimension	製作的文本數目 Number of copies produced	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.				\$ 元	\$ 元	
2.				\$ 元	\$ 元	
3.				\$ 元	\$ 元	
4.				\$ 元	\$ 元	
5.				\$ 元	\$ 元	
6.				\$ 元	\$ 元	
7.				\$ 元	\$ 元	
第 5 項小計 Sub-total of 5					\$ 元	

6. 小旗
Pennants

	製作日期 Date of Production	尺寸 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	製作的文本數目 Number of copies produced	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.					\$ 元	\$ 元	
2.					\$ 元	\$ 元	
3.					\$ 元	\$ 元	
4.					\$ 元	\$ 元	
5.					\$ 元	\$ 元	
6.					\$ 元	\$ 元	
7.					\$ 元	\$ 元	
第 6 項小計 Sub-total of 6					\$ 元		

7. 標語牌
Placards

	製作日期 Date of Production	尺寸 Size/Dimension	製作的文本數目 Number of copies produced	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.				\$ 元	\$ 元	
2.				\$ 元	\$ 元	
3.				\$ 元	\$ 元	
4.				\$ 元	\$ 元	
5.				\$ 元	\$ 元	
6.				\$ 元	\$ 元	
7.				\$ 元	\$ 元	
第 7 項小計 Sub-total of 7					\$ 元	

8. 其他 (請註明)
Others (please specify)

未能分類為以上任何一項的選舉廣告應在此欄中填寫。例如：光碟、電子訊息(包括電子郵件)、資訊系統網絡、電子展示版、電腦網頁、互聯網廣告等。

The election advertisements which cannot be classified into any one of the above items should be stated in this part. Examples are video discs, electronic messages (including electronic mail), information system network, electronic display boards, web page, Internet advertisements, etc.

	類別 Type	製作日期 Date of Production	製作的文本數目 Number of copies produced	單價 Unit Price (見備註 (1)) (see Remark (1))	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
1.				\$ 元	\$ 元	
2.				\$ 元	\$ 元	
3.				\$ 元	\$ 元	
4.				\$ 元	\$ 元	
5.				\$ 元	\$ 元	
6.				\$ 元	\$ 元	
第 8 項小計 Sub-total of 8					\$ 元	
第 1 項至第 8 小計總和 The Sum of Sub-totals 1 to 8					\$ 元	

E 部 : 租金、辦公室開支及運輸之費用
 Section E : Payments for rental, office expenses and transportation

1. 租金及辦公室開支
 Rental and office expenses

服務／物品之性質及詳情 Nature and Particulars of Services/Goods			金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
租金: 地址 Rental: Address	單位收費 [#] (見備註 (1)) Unit Charge [#] (see Remark (1)) \$ 元	租用日期及期間 Rental Period & Duration	\$ 元	
文具: 種類 Stationery: Type	單價(見備註 (1)) Unit Price(see Remark (1))	數量 Quantity	\$ 元	
郵費: 性質 Postage: Nature	單價(見備註 (1)) Unit Price(see Remark (1))	數量 Quantity	\$ 元	
其他 (請註明): Others (Please specify):	單價(見備註 (1)) Unit Price(see Remark (1))	數量 Quantity	\$ 元	
1.	\$ 元		\$ 元	
2.	\$ 元		\$ 元	
3.	\$ 元		\$ 元	
4.	\$ 元		\$ 元	
			第 1 項小計 Sub-total of 1	\$ 元

[#] 單位收費應包括租金、電費、冷氣費及其他有關費用。

[#] Unit charge should include rentals, electricity charges, air conditioning charges and other related expenses.

2. 運輸
 Transportation

單位收費(見備註 (1)) Unit Charge(see Remark (1))	數目／數量／期間 Number/Quantity/Duration	金額 Amount (見備註 (1)) (see Remark (1))	收據 Voucher
租賃車輛 Hiring of vehicles		\$ 元	
汽油 Petrol		\$ 元	
司機 Driver		\$ 元	
交通費: 性質 Travelling Expense: Nature		\$ 元	
其他 (請註明): Others (Please specify):		\$ 元	
		第 2 項小計 Sub-total of 2	\$ 元
		第 1 項至第 2 項小計總和 The Sum of Sub-totals of 1 to 2	\$ 元

F 部 : 雜項支出

Section F : Payments for miscellaneous items

<p style="text-align: center;">詳情 Particulars</p>	<p style="text-align: center;">金額 Amount (見備註 (1)) (see Remark (1))</p>	<p style="text-align: center;">收據 Voucher</p>						
<p>供應予選舉助理之飲品及食物 Beverages and food for election assistants</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; text-align: center;">日期 Date</th> <th style="width: 30%; text-align: center;">人數 No. of Persons</th> <th style="width: 40%; text-align: center;">場合 Occasion</th> </tr> </thead> <tbody> <tr> <td style="height: 300px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	日期 Date	人數 No. of Persons	場合 Occasion					
日期 Date	人數 No. of Persons	場合 Occasion						
<p>其他 (請註明) Others (please specify)</p> <div style="height: 300px;"> </div>								
<p>總數 Total</p>	<p>\$ 元</p>							

G 部 : 未支付之索款

Section G : Outstanding claims

根據《選舉（舞弊及非法行為）條例》（第 554 章）第 37(2)(b)(i)條的規定，候選人必須確保申報書附有（就每項 100 元或以上的選舉開支而言）載有該項支出的詳情的正本發票及收據。我承諾將依據下表列出預定支付索款的時間表，向有關供應者支付索款，並於付款日期後的 30 天內，向選舉主任提交經我妥為核證的每項 100 元或以上的選舉開支的正本發票及付款收據，以證明下述索款已如期支付。如我未能於限期內提交有關的正本發票及付款收據，選舉主任可能會將個案轉交執法機構跟進。

According to section 37(2)(b)(i) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the candidate must ensure that the return is accompanied in the case of each election expense of \$100 or more, by an original invoice and receipt giving particulars of the expenditure. I undertake to settle the following outstanding claim(s) with the supplier(s) according to the scheduled date(s) of payment of outstanding claim(s) as set out in the table below and submit to the Returning Officer within 30 days from the payment date a duly certified original invoice and receipt for each item of election expense, which is of \$100 or more in support of the settlement of the outstanding claim(s). If I do not submit the concerned original invoice and receipt, the Returning Officer may refer the case to the law enforcement agency for follow-up action.

預定支付索款的時間表
Schedule for Settlement of Outstanding Claim(s)

物品／服務之性質 Nature of Goods/Services	供應者 Supplier(s)	包括在我的選舉開支內的 索款的金額(元) Amount of Outstanding Claim(s) included in my Election Expenses(\$) (見備註 (1)) (see Remark (1))	擬定支付索款的日期 Scheduled Date(s) of Payment of Outstanding Claim(s)
		總數 Total	\$ 元

- 備註
Remarks
- (1) 在填寫本申報書的有關部分，請將金額準確至小數點後兩個位。
When filling in the relevant sections in this return, 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、貨品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。惟屬 1,000 元以上之捐贈則須個別列出，並附上就該等捐贈發給捐贈者之「劃一格式選舉捐贈收據」(表格編號：HYK/C/10/2015) 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 I 部“收據”一欄內的相應位置，以資對照。
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. Election donations of more than \$1,000 are required to be individually listed and accompanied with copies of the “Standard Receipt for Election Donations” (Form no.: HYK/C/10/2015) issued to the donors. All receipts should be marked in numerical sequence and, for cross-referencing purposes, the number assigned to each receipt should be correspondingly entered in the “Receipt” column in Section I.
- (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。經候選人如此處置之所有選舉捐贈的記錄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 J 部“收據”一欄內的相應位置，以資對照。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，選舉開支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. All entries of election donations so disposed of by the candidate must be accompanied with copies of receipts issued by the recipients. All receipts should be marked in numerical sequence, and for cross-referencing purposes, the number assigned to each receipt should be correspondingly entered in the “Receipt” column in Section J. 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，確認他明白及同意候選人會在其「選舉開支及接受選舉捐贈之申報書及聲明書」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 條備存於選舉主任辦事處供公眾查閱。
Donor has signed on the “Standard Receipt for Election Donation” provided by the candidate to confirm his understanding and agreement for the candidate to enter in his “Return and Declaration of Election Expenses and Election Donations” the name and address of the donor and for copies of that return and declaration and the relevant receipt be made available at the Office of Returning Officer for public inspection under section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554).
- (5) 如任何部分篇幅不敷應用，可採用另一同樣格式的紙張填寫，然後夾附在本申報書及聲明書。
If the space allowed in any section is insufficient, separate sheets in the same format may be used for completion and should be attached to this return and declaration.
- (6) 請將填妥的申報書及聲明書交付予選舉主任。
Please submit the completed return and declaration to the Returning Officer.

聲 明 書
FORM OF DECLARATION

候選人姓名

Name of candidate

我謹以至誠鄭重聲明如下—

I hereby solemnly and sincerely declare as follows—

一. 我乃參與上述選舉之上述候選人。

1. I am the candidate named at the above election.

二. 上述提交選舉主任之選舉開支及接受選舉捐贈之申報書及附件，經由我審閱。據我所知，申報書已按法例之規定，準確詳列關於進行及處置上述選舉之—

(甲) 所有由我招致及由我的選舉開支代理人代我招致之選舉開支；以及

(乙) 所有由我、我的選舉代理人以及任何其他人代表或為我所接受之選舉捐贈。

2. I have examined the above return of election expenses and donations and the annexures to be sent to the Returning Officer, and to the best of my knowledge, it is an accurate account of—

(a) all election expenses incurred by me and my election expense agent(s) on my behalf; and

(b) all election donations received by me, by my election agent and by any other persons on my behalf or on my account, in respect of the conduct and management of the above election as required by law.

三. 據我所知及所信—

(甲) 除本申報書所列出的選舉開支外，我並無招致其他選舉開支，而我的選舉開支代理人並無代我招致其他選舉開支；以及

(乙) 除本申報書所列出的選舉捐贈外，我並無接受其他選舉捐贈，而我的選舉代理人及任何其他人並無代表或為我接受其他選舉捐贈。

所有已處置之選舉捐贈亦已按申報書內申報的方式處置。

3. To the best of my knowledge and belief—

(a) no election expenses other than those set out in the return were incurred by me and my election expense agent(s) on my behalf; and

(b) no election donations other than those set out in the return were received by me, by my election agent and any other persons on my behalf or on my account; and

all election donations disposed of have been disposed of in a manner set out in this return.

我謹憑藉《宣誓及聲明條例》(第 11 章) 衷誠作出此項鄭重聲明，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 practicing 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 practicing certificate

* 請刪去不適用者

* Please delete whichever is inapplicable.

填寫申報書及聲明書說明

Explanatory Notes on Completion of Return and Declaration

1. 在這表格及這摘要說明中，在文意許可的情況下，“他”是指“他”或“她”。
In this form and these notes, “he” means “he” or “she” as far as the context permits.
2. 在填寫此表格前，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 form.
3. 請用中文或英文填寫此表格，並將填妥的表格由候選人呈交選舉主任的辦事處或經新界各區民政事務處交付予選舉主任。
Please complete this form either in Chinese or in English and submit the completed form to the office of the Returning Officer or the relevant New Territories District Office for onward submission to the Returning Officer.
4. 根據《鄉議局選舉開支令》（第 554E 章）第 3 條，鄉議局選舉的選舉開支最高限額如下：
(a) 候選人付給其選舉代理人的費用，總額不得超逾 3,000 元；
(b) 所有其他選舉開支，總額不得超逾 10,000 元。
In accordance with section 3 of the Heung Yee Kuk Election Expenses Order (Cap. 554E), the maximum scale of election expenses in respect of Heung Yee Kuk Election shall be:
(a) in respect of any fee or fees paid by a candidate to his election agent, an amount not exceeding \$3,000 in the aggregate;
(b) in respect of all other election expenses, an amount not exceeding \$10,000 in the aggregate.
5. 根據《鄉議局選舉開支令》（第 554E 章）第 5 條規定，在不抵觸《鄉議局選舉開支令》第 3(a)條的情況下，凡在任何 3 個月期內參加多於一次鄉議局選舉的候選人，在該等選舉的總計選舉開支最高限額為 10,000 元。
In accordance with section 5 of the Heung Yee Kuk Election Expenses Order (Cap. 554E), subject to paragraph 3(a), where a person is a candidate in more than one Heung Yee Kuk election in any period of 3 months the total maximum scale of election expenses in respect of those elections shall be \$10,000.
6. 根據《選舉（舞弊及非法行為）條例》第 24 條，鄉議局主席、副主席、議員大會的特別議員或議員大會的執行委員會普通委員選舉的候選人或他人代候選人在選舉中或在與選舉有關連的情況下所招致的選舉開支總額，如超過《鄉議局選舉開支令》（第 554E 章）所訂明的選舉開支最高限額，該候選人即屬在選舉中作出非法行為。
In accordance with section 24 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a candidate of the election of the Chairman, Vice-Chairman, Special Councillor of the Full Council or Ordinary Member of the Executive Committee of the Full Council of the Heung Yee Kuk engages in illegal conduct at an election if the aggregate amount of election expenses incurred at or in connection with the election by or on behalf of the candidate exceeds the maximum amount of election expenses prescribed for a candidate by the Heung Yee Kuk Election Expenses Order (Cap. 554E).
7. 根據《選舉（舞弊及非法行為）條例》（第 554 章）第 37（1）條的規定，在選舉中每名候選人必須向**選舉主任**提交選舉申報書，列出一—
(a) 該候選人在該項選舉中的選舉開支；及
(b) 由該候選人或他人代該候選人在與該項選舉相關的情況下收取的所有選舉捐贈。
According to section 37(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), each candidate at an election must lodge with the **Returning Officer** an election return setting out -
(a) the candidate’s election expenses at the election; and
(b) all election donations received by or on behalf of the candidate in connection with the election.
8. 根據《選舉（舞弊及非法行為）條例》（第 554 章），“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—
(a) 為促使該候選人當選；或
(b) 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。
According to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap.554), “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 or on behalf of the candidate for the purpose of -
(a) promoting the election of the candidate; or
(b) prejudicing the election of another candidate,
and includes the value of election donations consisting of goods and services used for that purpose.

9. 根據《鄉議局選舉開支令》(第 554E 章)第 4 條,選舉開支不包括候選人為選舉及有關事項而支付的合理交通費及居住酒店或其他地方的合理開支。

According to paragraph 4 of the Heung Yee Kuk Election Expenses Order (Cap. 554E), election expenses shall not include the reasonable travelling expenses of a candidate and the reasonable expenses of his living at hotels or elsewhere for the purpose of and in relation to the election.

10. 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;或
 - (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; or
- (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.

11. 根據《選舉(舞弊及非法行為)條例》(第 554 章)第 37(2)條的規定,候選人必須確保申報書—

- (a) (i) 在選舉結果公布的日期後的 30 天屆滿之前提交;及
- (ii) 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
- (iii) 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,或在原訟法庭根據第 40 條容許的延長期限內提交;及
- (b) 附有一—
 - (i) (就每項\$100 或以上的選舉開支而言)載有該項支出的詳情的發票及收據;及
 - (ii) (就每項\$1,000 以上或每項包含貨品或服務而價值\$1,000 以上的選舉捐贈而言)發給捐贈者的載有關於該捐贈者及該項捐贈的詳情的收據的副本;及
 - (iii) (如由候選人或由他人代候選人在與選舉有關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而已按照第 19 條處置)收取該等如此處置的捐贈或部分捐贈的人所發出的收據的副本;及
 - (iv) (如由候選人或由他人代候選人在與選舉相關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,亦沒有按照第 19 條(3)處置)書面解釋,列出沒有按照該條處置該項捐贈或該部分捐贈的理由;及
 - (v) 採用有關主管當局提供或指明的表格或格式所作的聲明書,證明申報書內容屬實。

Under section 37(2) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the candidate must ensure that the return -

- (a) is lodged—
 - (i) not later than 30 days after the date of publication of the result of the election; and
 - (ii) 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
 - (iii) if the election has failed under the relevant electoral law, not later than 30 days after the declaration of the failure of the election,or within such extended period as may be allowed by the Court of the First Instance under section 40; and
- (b) is accompanied—
 - (i) in the case of each election expense of \$100 or more, by an invoice and a receipt giving particulars of the expenditure; and
 - (ii) in the case of each election donation of more than \$1,000 or, in the case of an election donation consisting of goods or a service, of more than \$1,000 in value, by a copy of the receipt issued to the donor giving particulars of the donor and the donation; and
 - (iii) 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 was disposed of in accordance with section 19, by a copy of the receipt given by the recipient of the donation or part; and
 - (iv) 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 was not disposed of in accordance with section 19(3), by an explanation setting out the reason why it was not disposed of in accordance with that section; and
 - (v) by a declaration in a form provided or specified by the appropriate authority verifying the contents of the return.

12. 根據《選舉（舞弊及非法行為）條例》(第 554 章) 第 40 條的規定，候選人如不能夠或沒有在准許的限期屆滿之前按照第 37 條的規定提交選舉申報書，可向原訟法庭申請作出命令，容許該候選人在原訟法庭指明的較長限期內，向選舉主任提交選舉申報書。候選人亦可向原訟法庭申請作出命令，使該候選人可更正在選舉申報書或附於該申報書的任何文件內的錯誤或虛假陳述。而申請所據理由須為合理因由。
According to section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a candidate who is unable or has failed to lodge an election return as required by section 37 before the end of the permitted period can apply to the Court of First Instance for an order allowing the candidate to lodge with the Returning Officer an election return within such further period as the Court specifies. A candidate can also apply to the Court for an order enabling the candidate to correct any error or false statement in an election return or in any document accompanying the return by reason of reasonable cause.
13. 根據《選舉（舞弊及非法行為）條例》(第 554 章) 第 38 條的規定，候選人如沒有按照第 37 條的規定提交選舉申報書，即屬犯罪 —
(a) 如循簡易程序審訊，一經定罪，可處第 5 級罰款及監禁 1 年；或
(b) 如循公訴程序審訊，一經定罪，可處罰款\$200,000 及監禁 3 年。
民政事務總署會查核所有申報書列載的選舉開支及捐贈。倘發現任何不當情況，將向有關當局報告，以進行調查。
According to section 38 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a candidate who fails to lodge an election return as required by section 37 commits an offence and is-
(a) if tried summarily, liable on conviction to a fine at level 5 and to imprisonment for 1 year; or
(b) if tried on indictment, liable on conviction to a fine of \$200,000 and to imprisonment for 3 years.
The Home Affairs Department will check all returns of election expenses and donations. Any irregularities detected will be reported to the relevant authorities for investigation.
14. 發票及收據應順序註明編號，而編配予每一收據的編號應填寫在“收據”一欄的相應位置，以資對照。
All invoices and receipts should be marked in numerical sequence and, for cross referencing purposes, the number assigned to each invoice and receipt should be correspondingly entered in the “Voucher”/ “Receipt” column.
15. 凡免費獲得之服務及物品 (除義務服務外)，均應視為候選人招致之費用，請在申報書內填寫其合理估計的市價。
Services and goods obtained free of charge (except for voluntary service) should be deemed as expenses incurred by the candidate. Please put down a fair estimated market value in the return.
16. 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場/ 正常價格與候選人支付的價格差額應被視為捐贈，必須申報及列為捐贈，並於申報書內相應列為選舉開支。
Unless the discount is generally available to all customers, the difference between the market/ regular price and the price charged the candidate should be regarded as a donation and must be declared and included as such and correspondingly as an election expense in the form of return.
17. 選舉廣告單價價目應包括設計及畫稿之費用。
Unit price for election advertisements should include design and artwork expenses.
18. 如任何部分篇幅不敷應用，可採用另一同樣格式的紙張填寫，然後夾附於本申報書及聲明書。
If the space allowed in any section is insufficient, separate sheets in the same format may be used for completion and should be attached to this return and declaration.
19. 申報書及聲明書以及有關單據的副本將備存於民政事務總署，由該申報書提交選舉主任的時間起至有關選舉的結果公布日期的首個周年日為止，供公眾查閱，或提供予索閱有關文件的人士。
Copies of the return and declaration and relevant receipts will be made available at the Home Affairs Department for public inspection from the time when the return is lodged with the Returning Officer to the first anniversary of the date on which the result of election concerned is published, and may be furnished to any person upon request.
20. 候選人在申報書及聲明書上填報的資料亦可能供給有關當局進行調查。
The information provided by the candidates in their returns may also be provided to the relevant authorities for investigation.
21. 候選人在填寫此表格時如有任何問題，請在辦公時間內向所屬民政事務處查詢。
If the candidate has any difficulty in completing this form, please contact the relevant District Office during office hours.
22. 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**

選舉主任收到選舉開支及接受選舉捐贈之申報書及聲明書以及有關單據後，會將副本供公眾查閱。在展示前，表格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 return and declaration of election expenses and donations and relevant receipts will be made available by the Returning Officer who has received them for public inspection. All identity document numbers (if any) in the form will be covered before display. The information concerned may be provided to other authorised departments/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 a 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) **查詢**

關於透過本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 the making of requests for access and corrections) should be addressed to the Home Affairs Department at 30th Floor, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong.

民政事務總署
二零一五年三月
Home Affairs Department
March 2015