

CONSENT OF SUPPORT

ELECTION OF THE 35th TERM OF THE HEUNG YEE KUK

ELECTION OF SPECIAL COUNCILLORS *TAI PO / YUEN LONG / SOUTHERN DISTRICT

Date of Election: 10 May 2019

* Please delete whichever is inapplicable.

[Note: Before completing this consent, please read the “Notes on Consent of Support” (“Notes”).]

Note : This Consent of Support will be made available for public inspection until the end of the period for which copies of election returns are available for inspection pursuant to section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap.554).

Name of Candidate (in BLOCK LETTERS) : _____

For individual(s) giving consent in personal capacity [see Notes 2 & 7]

1. *(i) *I/Each of us hereby give(s) consent in *my/our personal capacity to the above-named candidate to use in the manner described in section 27 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in election advertisements the name(s) or logo(s) of or associated with *me/us; or the name(s) or logo(s) as shown in the Appendix that is/are substantially similar to the name(s) or logo(s) of or associated with *me/us; or *my/our pictorial representation(s), as an indication of *my/our support to the above-named candidate; or
- *(ii) *I/Each of us hereby confirm(s) in *my/our personal capacity that the content of the election advertisement as shown in the Appendix is provided by *me/us, and *I/each of us give(s) consent in *my/our personal capacity to the above-named candidate to use the name(s), logo(s), pictorial representation(s) of or associated with *me/us included in the said content of election advertisement, as an indication of *my/our support to the above-named candidate; and
- *(iii) *I/Each of us further give(s) consent in *my/our personal capacity to the above-named candidate to modify the name(s), logo(s), pictorial representation(s) of or associated with *me/us or the content of election advertisement referred to in paragraph 1(ii) above (details of modification as shown in the Appendix) for use in his/her other election advertisements.

For an individual giving consent in official capacity [see Notes 3, 4, 5 & 7]

2. *(i) I hereby give consent in my official capacity as “_____” to the above-named candidate to use, in the manner described in section 27 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in election advertisements the name, office title or logo of or associated with me; or the name, office title or logo as shown in the Appendix that is substantially similar to name, office title or logo of or associated with me; or my pictorial representation, as an indication of my support to the above-mentioned candidate; or
- *(ii) I hereby give confirmation in my official capacity as “_____” that the content of the election advertisement (including reference to my office title) as shown in the Appendix is provided by me, and I give consent in the above official capacity to the above-named candidate to use the name, office title, logo, pictorial representation of or associated with me included in the said content of election advertisement, as an indication of my support to the above-named candidate; and

- * (iii) I further give consent in the above official capacity to the above-named candidate to modify the name, office title, logo, pictorial representation of or associated with me or the content of election advertisement referred to in paragraph 2(ii) above (details of modification as shown in the Appendix) for use in his/her other election advertisements.

3. I have obtained the prior written approval of _____ (Name of Organisation) in accordance with the organisation's internal rules and procedures/established convention (e.g. approved by the governing body of the organisation or by a resolution of that organisation passed at a general meeting, for using the name of the organisation together with his/her office title(s) by the candidate) (please specify : _____) on _____ (Date) at _____ (Time) for giving of the above consent.

For an organisation giving consent in organisational capacity [see Notes 4, 5 & 7]

4. * (i) I have been duly authorised by _____ (Name of Organisation) to give consent on its behalf to the above-named candidate to use in the manner described in section 27 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in election advertisements the name or logo of or associated with the organisation; or the name or logo shown in the Appendix that is substantially similar to the name or logo of or associated with the organisation, as an indication of its support to the above-named candidate; or

- * (ii) I have been duly authorised by _____ (Name of Organisation) to confirm on its behalf that the content of the election advertisement as shown in the Appendix is provided by the organisation. I am also duly authorised by the organisation to give consent on its behalf to the above-named candidate to use the name or logo of or associated with the organisation included in the said content of election advertisement, as an indication of its support to the above-named candidate; and

- * (iii) I am also duly authorised by the organisation to give further consent on its behalf to the above-named candidate to modify the name or logo of or associated with the organisation or the content of election advertisement referred to in paragraph 4(ii) above (details of modification as shown in the Appendix) for use in his/her other election advertisements.

5. The above-named organisation has given the above consent *by the written approval dated _____ of the governing body of the organisation/ by a resolution of the members of the organisation passed at its general meeting held on _____ (Date) at _____ (Time).

For completion in all cases

6. * I have/Each of us has/The Organisation has been given to understand from the above-named candidate that he/she is eligible for nomination as a candidate and he/she is not disqualified from being nominated as a candidate or elected by virtue of section 6 of Part II of the Heung Yee Kuk Ordinance (Cap. 1097).

* Please delete whichever is inapplicable.

TO BE COMPLETED BY CANDIDATE/ELECTION AGENT –

Name (in BLOCK LETTERS) : _____

Date : _____ Signature : _____

TO BE COMPLETED BY INDIVIDUAL(S) GIVING CONSENT IN PERSONAL CAPACITY –

Name (in BLOCK LETTERS)	Signature	Date

TO BE COMPLETED BY INDIVIDUAL GIVING CONSENT IN OFFICIAL CAPACITY/ORGANISATION GIVING CONSENT –

Name (in BLOCK LETTERS) : _____

Official Capacity : _____ Organisation Chop : _____

Date : _____ Signature : _____

TO BE COMPLETED BY A WITNESS [see Note 6] –

I declare that this form was signed in my presence by the candidate/election agent and individual(s)/organisation representative giving consent.

Name (in BLOCK LETTERS) : _____

Signature : _____ Date : _____

Notes on Consent of Support

1. In accordance with Chapter 2 of the “Heung Yee Kuk Election: Guidelines relating to the appointment and roles of election agent and election expense agents, election advertisements, election expenses and donations”, the candidate should, **not later than 7 days** after publication of an election advertisement, deposit a hard copy of the relevant information/ document, including permission or consent to the Returning Officer for public inspection.
2. According to Chapter 4 of the “Heung Yee Kuk Election: Guidelines relating to the appointment and roles of election agent and election expense agents, election advertisements, election expenses and donations”, if a written consent is given by a person in his/her personal capacity, no reference should be made to any office title which he/she may have in the candidate's election advertisements.
3. According to Chapter 4 of the “Heung Yee Kuk Election: Guidelines relating to the appointment and roles of election agent and election expense agents, election advertisements, election expenses and donations”, in the case where an office-bearer of an organisation wishes to use his/her office title to support a candidate, he/she should complete item 2 or items 2 and 3 of this consent as appropriate, depending on the following situations –
 - (a) **A supporter with the reference to his/her office title (bearing no reference to the name of the organisation concerned)**
In this case, the consent should indicate whether the supporter consents to the use of his/her office title(s) and the description of such title(s). Where such office title(s) is/are to be referred in an election advertisement, the supporter and the candidate should take particular care to ensure that the information should not be used in such a way to misrepresent the support of the organisation concerned.
 - (b) **A supporter with the reference to his/her office title and the name of the organisation concerned**
In this case, the candidate should ensure that the supporter has obtained the prior written approval of the organisation, in accordance with the organisation's internal rules and procedures or any established convention (e.g. approved by the governing body of the organisation or by a resolution of that organisation passed at a general meeting), for using the name of the organisation together with his/her office title(s) by the candidate. The candidate should be careful not to give the impression that it represents the support of the whole organisation.
4. According to section 27(5) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), a written consent by an organisation must be approved by the governing body of the organisation or by a resolution of the members of the organisation passed at a general meeting.
5. In the case where a Mutual Aid Committee (MAC) wishes to support a candidate in the name of the MAC, the written consent should be approved in a general meeting convened in accordance with the Model Rules for the MAC, and signed by the incumbent Chairman of the MAC.
6. A witness can be any person aged 18 years or over and in possession of an identity document. “Identity document” means–
 - (a) an identity card; or
 - (b) any other document issued to a person that is acceptable to the Returning Officer as proof of the person's identity.
7. If there is any question in completing this consent, please call Home Affairs Department at 2835 1557 during office hours.

8. Please note the following with regard to the personal data supplied in connection with this consent –

(a) **Purpose of Collection**

The personal data and other related information supplied in connection with this consent will be used by the Home Affairs Department, the Returning Officer and other relevant government departments and organisations for election-related purposes.

(b) **Transfer of Information**

The Consent of Support will be made available for public inspection until the end of the period for which copies of election returns are available for inspection pursuant to section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap.554). The personal data and other related information supplied in connection with this consent may also be provided to other authorised departments, organisations or persons including but not limited to the law courts for election-related purposes.

(c) **Access to Personal Data**

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

(d) **Personal Data Protection Principle**

Candidate and election agent 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 consent, in particular Principle 4 concerning the requirement to take all practicable steps to ensure that personal data are protected against unauthorised or accidental access and processing.

(e) **Enquiry**

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

Home Affairs Department
March 2019