

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)

第三十六屆鄉議局選舉
ELECTION OF THE 36th TERM OF THE HEUNG YEE KUK
特別議員選舉
ELECTION OF SPECIAL COUNCILLORS

選舉日期： 2023 年 5 月 10 日

Date of Election: 10 May 2023

申報書
FORM OF RETURN

[附註：請用正楷填寫此申報書及聲明書，填寫前請參閱《填寫選舉開支及接受選舉捐贈之申報書及聲明書說明》（“說明”）。]

[Note: Please read the “Notes on Completion of Return and Declaration of Election Expenses and Election Donations” (“Notes”) before completing this Return and Declaration in BLOCK LETTERS.]

候選人姓名（正楷）：

Name of Candidate:
(in BLOCK LETTERS)

一．我是參加上述選舉之上述候選人。

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

二．我現把由我及我的選舉開支代理人代我在該選舉中招致的選舉開支，及曾由我、我的選舉代理人及其他人士代我在與該選舉有關連的情況下收取的所有選舉捐贈，申報如下。

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

各項選舉開支
ELECTION EXPENSES

開支一覽表（詳情列於以下各有關部分）（見說明第 4 項）

Summary of expenses (with details set out under each of the relevant Sections below) (see Note 4)

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

選舉聚會之開支（B 部）..... HK\$ _____ 港元
Expenses for election meetings (Section B)

代理人及選舉助理之開支（C 部）..... HK\$ _____ 港元
Expenses for agents and election assistants (Section C)

選舉廣告之開支（D 部）..... HK\$ _____ 港元
Expenses for election advertisements (Section D)

租金、辦公室及運輸之開支（E 部）..... HK\$ _____ 港元
Rental, office and transportation expenses (Section E)

雜項開支（F 部）..... HK\$ _____ 港元
Expenses for miscellaneous items (Section F)

未支付之索款（G 部）..... HK\$ _____ 港元
Outstanding claims (Section G)

總開支 HK\$ _____ 港元
Total expenses

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開支。)

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

項目編號 Item No	開支性質 Nature of Expenses	金額 (港元) (見說明第 4 項) Amount (HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
總數 Total			

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

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

項目編號 Item No	活動日期 Date of the Activity	活動名稱 Name of the Activity	金額 (港元) (見說明第 4 項) Amount (HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.				
2.				
3.				
4.				
5.				
6.				
總數 Total				

C 部 : 代理人及選舉助理之開支
 Section C : Expenses for agents and election assistants

代理人類別／獲委任人姓名 Types of Agents/Names of Appointees	金額（港元） （見說明第 4 項） Amount (HK\$) (see Note 4)	發票及收據 Invoice and Receipt
選舉代理人： Election Agent:		
選舉開支代理人： Election Expense Agent(s):		
選舉助理及拉票人： Election Assistant(s) and Canvasser(s):		
總數 Total		

D 部 : 選舉廣告之開支 (見說明第 7 項)
Section D : Expenses for election advertisements (see Note 7)

備註

Remarks

1. 應根據交給選舉主任之「選舉廣告資料摘要」(表格編號: HYK/C/6/2023) 及「修正選舉廣告資料摘要通知書」(表格編號: HYK/C/8/2023) (如適用) 所列的選舉廣告數量及種類, 計算及填寫此部分之開支。不論開支的價值是否極低, 候選人均須申報每一項選舉廣告的開支。即使某項選舉廣告的開支為零, 候選人亦應申報該項目, 以供選舉主任查核。

The expenses entered in this Section should be calculated based on the quantity and type of election advertisements as stated in the “Information Sheet in relation to Election Advertisements” (Form no.: HYK/C/6/2023) and “Notification of Corrected Information in relation to Election Advertisements” (Form no.: HYK/C/8/2023) (if applicable) submitted to the Returning Officer. The candidate should declare the expenses for each and every item of election advertisement no matter how minimal the value of the expense is. Even if the expense for a particular election advertisement is zero, the candidate should also declare such item for checking by the Returning Officer.

2. 如候選人透過互聯網發布大量選舉廣告(包括選舉網站、社交網絡平台、即時通訊程式等), 雖然必須在「選舉廣告資料摘要」提供每次發布的相關資料, 但在填寫此申報書及聲明書時, 若要就每次發布計算相關開支, 則可能有一定難度。因此, 在候選人須申報所有選舉開支的大前提下, 選舉主任可接受以下申報選舉開支的方法:
- (1) 負責在互聯網發布選舉廣告的助理薪金及互聯網服務費, 可分別在此申報書及聲明書 C 部及 E 部申報;
 - (2) 一個選舉網站的設計及製作費用可在此申報書及聲明書 D8 部申報為一項開支;
 - (3) 如某選舉廣告涉及獨立開支(例如影片製作費), 可在此申報書及聲明書 D8 部申報為一項開支, 並註明該選舉廣告是經互聯網發布及其製作日期;
 - (4) 所有透過互聯網發布的選舉廣告之開支, 可在此申報書及聲明書 D8 部按互聯網媒介的類別申報(例如選舉網站、社交網絡平台、即時通訊程式), 列出經該類媒介發布的選舉廣告數目, 註明所有相關的選舉開支是否已在上述相應的部分申報, 並填上此申報書及聲明書相關部分的編號以供選舉主任查核。如透過互聯網發布的選舉廣告尚有其他選舉開支, 亦應在此申報書及聲明書 D8 部申報。

If the candidate has published a large number of election advertisements through the internet (including election website, social media platform, instant messaging application, etc.), although the related information for each publication must be provided in the “Information Sheet in relation to Election Advertisements”, there may be difficulties in calculating the related expenses for each publication when completing this Return and Declaration. In this regard, under the premise that a candidate must declare all election expenses, the Returning Officer will accept the following methods of declaring election expenses –

- (1) the salary of an assistant who is responsible for publishing the election advertisements through the internet and the internet service fee can be declared at Section C and Section E of this Return and Declaration respectively;
 - (2) the design and production fees of an election website can be declared at Section D8 of this Return and Declaration as an expense item;
 - (3) if an election advertisement involves stand-alone expense (e.g. video production fee), the expense can be declared at Section D8 of this Return and Declaration as an expense item, and a remark that the election advertisement is published through the internet and its date of production should be stated;
 - (4) the expenses of all election advertisements published through the internet can be declared at Section D8 of this Return and Declaration according to the types of internet media (for example, election website, social media platform, instant messaging application), listing the number of election advertisements published via the respective type of media, stating clearly whether all related election expenses have been declared at the said corresponding Section, and specifying the reference number of the corresponding Section of this Return and Declaration for checking by the Returning Officer. If there are still other election expenses of election advertisements published through the internet, they should also be declared at Section D8 of this Return and Declaration.
3. 如此申報書及聲明書 D 部的篇幅不敷應用, 候選人可以另紙(例如採用試算表形式)列出有關選舉開支詳情, 然後作為附件夾附於此申報書及聲明書。請參考載於「選舉開支及接受選舉捐贈之申報書及聲明書指南」(表格編號: HYK/C/11a/2023) 的例子。
- If the space provided in Section D of this Return and Declaration is insufficient, candidate may use additional worksheet(s) (e.g. in Excel format) to set out the particulars of the relevant election expenses and then attach the same as appendix/appendices to this Return and Declaration. Please make reference to the examples in the “Guide to Return and Declaration of Election Expenses and Election Donations” (Form no.: HYK/C/11a/2023).

E 部 : 租金、辦公室及運輸之開支（請列明服務／貨品之類別或性質及詳情）

Section E : Rental, office and transportation expenses (Please specify the type or nature and particulars of services/goods)

1. 租金及辦公室開支

Rental and office expenses

<p>服務／貨品的詳情 Particulars of Services/Goods</p>	<p>金額（港元） （見說明第 4 項） Amount (HK\$) (see Note 4)</p>	<p>發票及收據 Invoice and Receipt</p>
<p>租金：地址（見說明第 8 項） Rental: Address (see Note 8)</p> <p>單位收費[#]（港元） （見說明第 4 項） Unit Charge[#] (HK\$) (see Note 4)</p> <p>租用日期及期間 Rental Period & Duration</p>		
<p>文具 Stationery</p>		
<p>郵費 Postage</p>		
<p>其他辦公室開支（請註明）： Others office expenses (Please specify) :</p>		
<p>[#] 單位收費應包括租金、電費、冷氣費及其他有關費用（見說明第 8 項）。 Unit charge should include rent, electricity charges, air conditioning charges and other related expenses (see Note 8).</p>	<p>第 1 項小計 Sub-total of 1</p>	

2. 運輸開支
Transportation expenses

單位收費（港元） （見說明第 4 項） Unit Charge (HK\$) (see Note 4)	數目／數量／期間 Number/Quantity/Duration	金額（港元） （見說明第 4 項） Amount (HK\$) (see Note 4)	發票及收據 Invoice and Receipt
租賃車輛 Hiring of Vehicles			
汽油 Petrol			
司機 Driver			
交通費 Travelling Expense			
其他運輸開支（請註明）： Others transportation expenses (Please specify):			
第 2 項小計 Sub-total of 2			
第 1 項至第 2 項小計總和 The Sum of Sub-totals of 1 to 2			

F 部 : 雜項開支

Section F : Expenses for miscellaneous items

詳情 Particulars	金額 (港元) (見說明第 4 項) Amount (HK\$) (see Note 4)	發票及收據 Invoice and Receipt
供應予選舉助理之飲品及食物 Beverages and food for election assistant(s) 日期 人數 場合 Date Number of Persons Occasion		
其他 (請註明日期及性質) Others (Please specify date and nature)		
	總數 Total	

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 500 元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。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，向選舉主任提交每項 500 元或以上的選舉開支的發票及付款收據，以證明下述索款已如期支付。我完全明白如我未能於限期內提交有關的發票及付款收據，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 this Return and Declaration is accompanied, in the case of each election expense of \$500 or more, by an invoice and a receipt giving particulars of the expenditure. I undertake to settle outstanding claim(s) with the relevant supplier(s) according to the Schedule for Settlement of Outstanding Claim(s) listed in the table below and submit to the Returning Officer within 30 days from the payment date the invoice and receipt for each election expense of \$500 or more to show that the following outstanding claim(s) has/have been settled as scheduled. I fully understand that if I do not submit the relevant invoice and receipt within the period, 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)

貨品／服務的詳情 Particulars of Goods/Services	供應者 Supplier(s)	包括在我的選舉開支內的 索款的金額（港元） （見說明第 4 項） Amount of Outstanding Claim(s) included in my Election Expenses (HK\$) (see Note 4)	擬定支付索款的日期 Scheduled Date(s) of Payment of Outstanding Claim(s)
	總數 Total		

聲 明 書
FORM OF DECLARATION

候選人姓名（正楷）：

Name of Candidate:

(in BLOCK LETTERS)

本人謹以至誠鄭重聲明如下－

I hereby solemnly and sincerely declare as follows－

1. 本人是參加上述選舉之上述候選人。
I am the candidate named above at the above election.

2. 本人已審閱即將提交予選舉主任之「選舉開支及接受選舉捐贈之申報書及聲明書」及附件。據本人所知及所信，此申報書及聲明書已按法例之規定，準確詳列關於進行及管理上述選舉之－
(甲) 所有由本人招致及本人的選舉開支代理人代本人招致之選舉開支；以及
(乙) 曾由本人、本人的選舉代理人以及任何其他人士代本人在與上述選舉有關連的情況下收取的所有選舉捐贈。
I have examined the “Return and Declaration of Election Expenses and Election Donations” and the attachments to be submitted to the Returning Officer, and to the best of my knowledge and belief, it is an accurate account of－
(a) all election expenses incurred by me and by my election expense agent(s) on my behalf; and
(b) all election donations received by me, by my election agent and by any other person(s) on my behalf in connection with the above election,
in respect of the conduct and management of the above election as required by law.

3. 據本人所知及所信－
(甲) 除此申報書及聲明書所列出的選舉開支外，本人並無招致其他選舉開支，而本人之選舉開支代理人並無代本人在上述選舉中招致其他選舉開支；以及
(乙) 除此申報書及聲明書所列出的選舉捐贈外，本人並無在與上述選舉有關連的情況下收取其他選舉捐贈，而本人的選舉代理人及任何其他人士並無代本人在與上述選舉有關連的情況下收取其他選舉捐贈；以及
所有已處置之選舉捐贈（如有）亦已按申報書及聲明書內申報的方式處置。
To the best of my knowledge and belief－
(a) no election expenses other than those set out in this Return and Declaration were incurred by me and my election expense agent(s) on my behalf at the above election; and
(b) no election donations other than those set out in this Return and Declaration were received by me, by my election agent and any other person(s) on my behalf in connection with the above election; and
all election donations disposed of (if any) have been disposed of in a manner set out in this Return and Declaration.

4. 在此申報書及聲明書所夾附之每張發票及收據經本人確認無誤，如發票及收據以副本形式提交，已確認其為真確無誤的副本。
I confirm that each invoice and receipt accompanying this Return and Declaration is correct. If copies of invoice(s) and receipt(s) are submitted, I confirm that they are true and correct copies.

本人謹憑藉《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.....日由上述聲明人在本人面前作出及簽署。

Declared and signed 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.

填寫選舉開支及接受選舉捐贈之申報書及聲明書說明

Notes on Completion of Return and Declaration of Election Expenses and Election Donations

以下說明只供參考。有關選舉開支及選舉捐贈的法例，請參閱《選舉（舞弊及非法行為）條例》（第 554 章）。
The Notes below are for reference only. For legislation concerning election expenses and election donations, please refer to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

- 填寫此申報書及聲明書前，請參考載於候選人資料冊的「選舉開支及接受選舉捐贈之申報書及聲明書指南」（表格編號：HYK/C/11a/2023）。
Before completing this Return and Declaration, please make reference to the “Guide to Return and Declaration of Election Expenses and Election Donations” (Form no.: HYK/C/11a/2023) contained in the Candidate Folder.
- 根據《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1)條的規定，此申報書及聲明書中必須列出候選人在選舉中的選舉開支及曾由候選人或由他人代該候選人在與選舉有關連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), this Return and Declaration must set out the candidate’s election expenses at the election and all election donations received by or on behalf of the candidate in connection with the election.
- 請用中文或英文填寫此申報書及聲明書。如任何部分篇幅不敷應用，可採用同樣格式另紙填寫，然後作為附件夾附於此申報書及聲明書。
Please complete this Return and Declaration in Chinese or English. Please use additional sheet(s) in the same format to set out the particulars and then attach the same as appendix/appendices to this Return and Declaration if the space provided in any Section is insufficient.
- 此申報書及聲明書內的金額及價值須以港元表示。填寫金額或價值時，如在分攤開支或轉換幣值的情況下經計算的金額有小數位，請將金額或價值以整數或四捨五入至不超過兩個小數位填寫。
All amounts and values in this Return and Declaration must be expressed in Hong Kong dollars. When filling in the amount or value, if the amount has decimal places after calculation due to apportionment of the expenses or conversion of currency, please fill in the amount or value with an integer or round off to no more than 2 decimal places.
- 就每項 \$500 或以上的選舉開支，候選人須提交載有該項支出詳情的發票及收據。選舉開支的發票及收據可分為不同文件提交，亦可包含於同一份文件內。候選人提交的發票及收據必須載有以下資料，包括—
 - 日期；
 - 開支項目的詳情（即貨品或服務的資料和金額）；
 - 提供貨品或服務的機構或人士（非候選人本人）的資料；及
 - 證明提供貨品或服務的機構或人士（非候選人本人）已全數收取有關款額的資料（例如收款人士的姓名及簽署，或收款機構的蓋章或其授權代表簽署）。For each item of election expense of \$500 or above, the candidate must submit an invoice and a receipt giving particulars of such expenditure. The invoice and receipt for election expense may be submitted in separate documents or may be contained in a single document. The invoice and receipt submitted by candidate must contain the following particulars, including—
 - date;
 - details of the expense item (i.e. information and amount of the goods or services);
 - information of the organisation or person (other than the candidate himself/herself) providing the goods or services; and
 - information showing that the organisation or person (other than the candidate himself/herself) providing the goods or services has received the relevant payment in full (e.g. name and signature of the recipient or the stamp of the organisation or signature of its authorised person).
- 所有發票及收據（包括選舉捐贈收據）上應順序註明編號，而編配予每一發票及收據的編號應填寫在“發票及收據”／“收據副本”一欄內的相應位置，以資對照。如發票及收據以副本形式提交，候選人須在每張發票及收據的副本上簽署，以核證其為真確無誤的副本（見載於附錄的核證發票及收據副本的樣本）。
All invoices and receipts (including receipts for election donations) should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each invoice and receipt should be correspondingly entered in the “Invoice and Receipt”/“Copy of Receipt” column. If copies of invoice and receipt are submitted, candidate is required to sign on each copy of invoice and receipt to certify it as a true and correct copy (see the sample for certifying copy of invoice and receipt at Appendix).
- 候選人應根據交給選舉主任之「選舉廣告資料摘要」（表格編號：HYK/C/6/2023）及「修正選舉廣告資料摘要通知書」（表格編號：HYK/C/8/2023）（如適用）所列的選舉廣告數量及種類填寫此申報書及聲明書。候選人須計算及申報每一項選舉廣告的開支。選舉廣告的開支應包括設計及畫稿之費用。如透過互聯網發布選舉廣告（例如

經電子郵件發布)，與該選舉廣告相關的費用，例如設計及發布費用及按比例適當分攤的相關互聯網服務費等，應被計算為選舉開支。

Candidate should complete this Return and Declaration based on the quantity and type of election advertisements as stated in the “Information Sheet in relation to Election Advertisements” (Form no.: HYK/C/6/2023) and “Notification of Corrected Information in relation to Election Advertisements” (Form no.: HYK/C/8/2023) (if applicable) submitted to the Returning Officer. Candidate should calculate and declare the expense for each and every item of election advertisements. Expenses for election advertisements should include design and artwork fees. If election advertisements are published through the Internet (e.g. by email), fees that are related to such election advertisements, such as design and publication fees and related internet service fee as appropriately apportioned, should be counted as election expenses.

8. 候選人應根據因選舉有關用途而招致的租金及辦公室開支金額申報選舉開支。候選人租用辦公室進行競選活動時，如有關租約指定須要租用該辦公室直至某一期限，而該期限是選舉日結束後的一個日期，而有關租賃開支是在選舉期間招致的，只要該辦公室是一直只用於選舉有關用途，候選人則必須將整筆租賃開支計算為選舉開支（包括租約內橫跨選舉日之後的部分）。假如候選人在選舉日後不再使用該辦公室作選舉有關用途，應將有關租約內涉及選舉日之後的租賃開支分攤，並在此申報書及聲明書內說明有關選舉日之後的租賃開支因與選舉無關而不計算在選舉開支內。此外，如辦公室並非只用於選舉有關用途（例如與其他人士分租或用作議員辦事處），應就選舉有關用途和其他用途分攤租金及辦公室開支，並將計算方式詳列於此申報書及聲明書。上述安排亦適用於代理人及選舉助理的薪金開支。

Candidate should declare the election expenses based on the amounts of rental and office expenses incurred for election-related purpose. When the candidate rents an office for electioneering purposes, if the lease has specified a rental period which lasts beyond the date of the election, and if the relevant rental expense is incurred during the election period, the candidate should include the whole rental expense (including the expense for the rental period after the date of election) as an election expense, if the office concerned is solely used for election-related purpose. If the candidate does not use the office for election-related purpose after the date of election, he/she should apportion the rental expense for the period after the date of election, and state in this Return and Declaration that the rental expense for the period after the date of election is not for election-related purpose, thus it is not counted as part of the election expenses. Besides, if the office is not solely used for election-related purpose (for example, it is shared with other persons or used as a councillor’s office), the rental and office expenses should be apportioned between election-related purposes and those other purposes. The calculation should also be stated in details in this Return and Declaration. The above arrangement is also applicable to the salary expenses for agents and election assistants.

9. 選舉捐贈的形式包括金錢、貨品及服務。不論形式為何，所有已接受的選舉捐贈均須在此申報書及聲明書的相關部分填報。

Election donations may take the form of money, goods or service. Regardless of the form they take, all election donations received must be set out under the relevant Section in this Return and Declaration.

10. 凡免費獲得的服務（除義務服務外）或貨品，必須申報為選舉捐贈，並於此申報書及聲明書內相應申報其估計的價值為選舉開支。

Services (except for voluntary service) or goods obtained free of charge must be declared as election donations, and their estimated value must also be correspondingly declared as election expenses in this Return and Declaration.

11. 除非所有顧客一般均可享有折扣，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是一項選舉捐贈，候選人必須將其申報為選舉捐贈，並於此申報書及聲明書內相應申報為選舉開支。

Unless the discount is generally available to all customers, the difference between the market/regular price of goods or services and the price paid by the candidate is an election donation. Candidate must declare such as an election donation, and correspondingly declare it as an election expense in this Return and Declaration.

12. 如某項選舉捐贈的金額或價值為 \$1,000 以上（包括多項來自同一捐贈者而總價值為 \$1,000 以上的選舉捐贈），候選人須發給捐贈者載有該捐贈者的姓名或名稱及地址（一如捐贈者所提供）及該項捐贈的詳情的收據，並將收據副本與申報書及聲明書一併提交。捐贈者可選擇披露其屬意的地址，如其辦事處或業務地址、通訊地址、住址或郵政信箱號碼。候選人須將捐贈者的姓名或名稱及地址及捐贈詳情填報於此申報書及聲明書。

If the amount or value of an election donation is more than \$1,000 (including multiple election donations from the same donor of which the total value is more than \$1,000), the candidate should issue a receipt to the donor specifying the name and address of the donor concerned (as supplied by the donor) and giving particulars of the donation concerned, and submit the Return and Declaration together with a copy of such receipt. The donor may choose to disclose an address that he/she/it prefers, for example, his/her/its office or business address, correspondence address, residential address or post office box number. The candidate must provide the name and address of the donor and particulars of the donations in this Return and Declaration.

13. 選舉捐贈只可用於償付或分擔償付該候選人或該等候選人的選舉開支。如某項選舉捐贈包含貨品或服務，該項捐贈則只可用於促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選。此外，就某些選舉捐贈，候選人均須在呈交此申報書及聲明書之前按照《選舉（舞弊及非法行為）條例》（第 554 章）第 19(2)-(4)條處置，並在此申報書及聲明書附上收款人發出的收據副本。否則，此申報書及聲明書須附有書面解釋，列出沒有按照該

條處置該項或該部分選舉捐贈的理由。《選舉（舞弊及非法行為）條例》（第 554 章）第 19(2)-(4)條的條文載列如下，以供參考—

《選舉（舞弊及非法行為）條例》（第 554 章）第 19(2)-(4)條

- (2) 如給予某候選人或某些候選人或就某候選人或某些候選人而給予的某項選舉捐贈為 \$1,000 以上或（如該項選舉捐贈包含貨品）價值 \$1,000 以上，而該候選人或該等候選人不知道捐贈者的姓名或名稱及地址，則該候選人或該等候選人必須確保—
 - (a) 該項捐贈不會用於—
 - (i) 償付或分擔償付該候選人或任何該等候選人的選舉開支；或
 - (ii) （如該項捐贈包含貨品）促使該候選人或任何該等候選人當選或阻礙另一名候選人或另一些候選人當選；及
 - (b) 將該項捐贈給予該候選人或該等候選人所選擇的屬公共性質的慈善機構或慈善信託。
- (3) 如給予某候選人或某些候選人或就某候選人或某些候選人而給予的某項選舉捐贈屬金錢或貨品，而該項捐贈—
 - (a) 沒有用於—
 - (i) 償付或分擔償付該候選人或該等候選人的選舉開支；或
 - (ii) （如該項捐贈包含貨品）促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選；或
 - (b) 在第(2)款所提述的情況下不會用於該款(a)(i)或(ii)段所述用途，則該候選人或該等候選人必須確保將該項捐贈給予該候選人或該等候選人所選擇的屬公共性質的慈善機構或慈善信託。
- (4) 如給予某候選人或就某候選人而給予的所有選舉捐贈的總額超過根據第 45 條訂明的最高限額，則該候選人必須確保將超額部分（不包括屬服務性質的選舉捐贈）給予該候選人所選擇的屬公共性質的慈善機構或慈善信託。

Election donations can only be used for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or candidates. In the case of an election donation consisting of goods or services, such donation may only be used for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates. Moreover, certain election donations must be disposed of in accordance with section 19(2)-(4) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) before this Return and Declaration is lodged. The Return and Declaration must be accompanied by copy of the receipt given by the recipient thereof. Otherwise, this Return and Declaration must be accompanied by a written explanation setting out the reason why such election donation or part of it was not disposed of in accordance with that section. Section 19(2)-(4) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) is reproduced below for reference—

Section 19(2)-(4) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

- (2) If an election donation of more than \$1,000 or, in the case of an election donation consisting of goods, of more than \$1,000 in value, is given to or for a candidate or candidates and the candidate or candidates do not know the name and address of the donor, the candidate or candidates must ensure that the donation—
 - (a) is not used—
 - (i) for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or any of the candidates; or
 - (ii) in the case of an election donation consisting of goods, for the purpose of promoting the election of the candidate or any of the candidates or of prejudicing the election of another candidate or other candidates; and
 - (b) is given to a charitable institution or trust of a public character chosen by the candidate or candidates.
- (3) If an election donation of money or goods has been given to or for a candidate or candidates and the donation—
 - (a) has not been used—
 - (i) for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or candidates; or
 - (ii) in the case of an election donation consisting of goods, for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates; or
 - (b) is not used in the case referred to in subsection (2), the candidate or candidates must ensure that the donation is given to a charitable institution or trust of a public character chosen by the candidate or candidates.
- (4) If the aggregate of all election donations given to or for a particular candidate exceeds the maximum amount prescribed under section 45, the candidate must ensure that the excess (not including election donations of services) is given to a charitable institution or trust of a public character chosen by the candidate.

14. 候選人必須在《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1H)及(1I)條規定的限期屆滿之前，將填妥的申報書及聲明書提交予選舉主任。

Candidate must submit the completed Return and Declaration to the Returning Officer by the statutory deadline as required under sections 37(1H) and (1I) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

15. 此申報書及聲明書以及所有附件的副本將備存於選舉主任的辦事處，由該申報書及聲明書提交選舉主任的時間起，直至根據《選舉（舞弊及非法行為）條例》（第 554 章）第 41 條規定申報書及聲明書可供公眾查閱的期間完結為止，供公眾查閱或提供予問取有關文件的副本的人士。在展示前，此申報書及聲明書連同所有附件的副本內所有個人資料（捐贈者的姓名或名稱及地址除外）將會被遮蓋。

Copies of this Return and Declaration and all attachments hereto will be kept at the office of the Returning Officer and made available for public inspection or may be provided to any person asking for a copy of the relevant documents from the time when the Return and Declaration concerned is lodged with the Returning Officer until the end of the period for which copies of Returns and Declarations are available for public inspection under section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). All personal data (except the name and address of the donor) in the copy of this Return and Declaration and all attachments hereto will be covered before display.

16. 選舉主任將查核所有候選人提交的申報書及聲明書。倘若發現任何不當情況，將會向有關當局報告，以進行調查。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 Returning Officer will check all Returns and Declarations submitted by the candidates. Any irregularities detected may be reported to the relevant authorities for investigation. The information provided by the candidates in their Returns and Declarations may also be provided to the relevant authorities for investigation.

17. 《選舉（舞弊及非法行為）條例》（第 554 章）與選舉申報書相關的部分載列如下，以供參考—

Part of the provisions of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) concerning election return are reproduced below for reference —

《選舉（舞弊及非法行為）條例》（第 554 章）第 2 條

“選舉開支”(election expenses) 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。

“選舉捐贈”(election donation) 就某項選舉的一名或多於一名候選人而言，指以下任何捐贈—

- (a) 為償付或分擔償付該候選人或該等候選人的選舉開支，而給予該候選人或該等候選人或就該候選人或該等候選人而給予的任何金錢；或
- (b) 為促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選，而給予該候選人或該等候選人或就該候選人或該等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) 為促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選，而向該候選人或該等候選人提供或就該候選人或該等候選人而提供的任何服務，但不包括義務服務。

“義務服務”(voluntary service) 指任何自然人為以下目的在其私人時間自願親自免費向某項選舉的一名或多於一名候選人提供或就某項選舉的一名或多於一名候選人而提供的任何服務—

- (a) 促使該候選人或該等候選人當選；或
- (b) 阻礙另一名候選人或另一些候選人當選。

Section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

“Election expenses” (選舉開支), 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.

“Election donation” (選舉捐贈), in relation to a candidate or candidates at an election, means any of the following donations —

- (a) any money given to or in respect of the candidate or candidates for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or candidates;
- (b) any goods given to or in respect of the candidate or candidates for the purpose of promoting the election of the candidate or candidates 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 or candidates for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates, but does not include voluntary service.

“Voluntary service” (義務服務) means any service provided free of charge to or in respect of a candidate or candidates at an election by a natural person, voluntarily and personally, in the person’s own time for the purpose of —

- (a) promoting the election of the candidate or candidates; or
- (b) prejudicing the election of another candidate or other candidates.

《選舉（舞弊及非法行為）條例》（第 554 章）第 20 條

如任何候選人在根據第 37 條提交的選舉申報書內，或在根據第 37A 條提交的選舉申報書的副本內，作出該候選人明知或理應知道屬虛假或具誤導性達關鍵程度的陳述，即屬在選舉中作出舞弊行為，該陳述屬一項根據第 37A 條達成的更正的標的亦然。

Section 20 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

A candidate engages in corrupt conduct at an election if the candidate, in an election return lodged under section 37 or a copy of an election return lodged under section 37A, makes a statement that the candidate knows or ought to know is materially false or misleading whether or not the statement is the subject of a correction effected under section 37A.

《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1)條

在選舉中的每名候選人必須向有關主管當局提交選舉申報書，列出一—

- (a) 該候選人在該項選舉中的選舉開支；及
- (b) 曾由該候選人或由他人代該候選人在與該項選舉有關連的情況下收取的所有選舉捐贈。

Section 37(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

Each candidate at an election must lodge with the appropriate authority 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.

《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1H)條

就關乎鄉議局的選舉而言，候選人須確保申報書在以下情況出現當日後的 30 日期間屆滿前提交—

- (a) 如該選舉是為 2 個或多於 2 個空缺而舉行 — 該選舉就所有該等空缺而言，均已告結束；或
- (b) 如該選舉只為 1 個空缺而舉行 — 該選舉就該空缺而言，已告結束。

Section 37(1H) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

For an election relating to the Heung Yee Kuk, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

- (a) if the election is held for 2 or more vacancies — the date on which the election becomes settled in relation to all of the vacancies; or
- (b) if the election is held for only 1 vacancy — the date on which the election becomes settled in relation to the vacancy.

《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1I)條

為施行第(1H)款，就某空缺而言，選舉在任何以下事件就該空缺發生當日，即告結束—

- (a) 該選舉的選舉主任宣布選舉結果；
- (b) 宣布該選舉無效。

Section 37(1I) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

For the purposes of subsection (1H), an election is settled in relation to a vacancy on the date on which any of the following events occurs in relation to the vacancy—

- (a) the result of the election is announced by the returning officer for the election;
- (b) the election is declared to be invalid.

《選舉（舞弊及非法行為）條例》（第 554 章）第 37(2)(b)條

候選人必須確保申報書附有一—

- (i) （就每項\$500 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，亦沒有按照第 19(3)條處置）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。

Section 37(2)(b) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

The candidate must ensure that the return is accompanied -

- (i) in the case of each election expense of \$500 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.

《選舉（舞弊及非法行為）條例》（第 554 章）第 38(1) 條

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。

Section 38(1) 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.

《選舉（舞弊及非法行為）條例》（第 554 章）第 40 條

- (1) 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，向有關主管當局提交選舉申報書。
- (2) 原訟法庭在聆訊根據第(1)款提出的申請後，必須信納不能夠或沒有按照第 37 條的規定提交選舉申報書一事是可歸因於下述情況而非因申請人不真誠所致，方可作出所尋求的命令—
 - (a) 申請人患病或不在香港；或
 - (b) 申請人的代理人或僱員去世、患病、不在香港或行為不當；或
 - (c) 申請人或其他人粗心大意或意外地計算錯誤；或
 - (d) 任何合理理由。
- (3) 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。
- (4) 原訟法庭在聆訊根據第(3)款提出的申請後，必須信納該等錯誤或虛假陳述是因下述情況而非因申請人不真誠所致，方可作出所尋求的命令—
 - (a) 申請人的代理人或僱員的行為不當；或
 - (b) 申請人或其他人粗心大意或意外地計算錯誤；或
 - (c) 任何合理理由。

Section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

- (1) 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 for an order allowing the candidate to lodge with the appropriate authority an election return within such further period as the Court specifies.
- (2) On the hearing of an application made under subsection (1), the Court may make the order sought, but only if it is satisfied that the inability or failure to lodge an election return as required by section 37 was attributable to—
 - (a) the applicant's illness or absence from Hong Kong; or
 - (b) the death, illness, absence from Hong Kong or misconduct of an agent or employee of the applicant; or
 - (c) inadvertence or an accidental miscalculation by the applicant or any other person; or
 - (d) any reasonable cause,and was not due to the applicant's bad faith.
- (3) 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.
- (4) On the hearing of an application made under subsection (3), the Court may make the order sought, but only if it is satisfied that the error or false statement was due to—
 - (a) misconduct of an agent or employee of the applicant; or
 - (b) inadvertence or an accidental miscalculation by the applicant or any other person; or
 - (c) any reasonable cause,and was not due to the applicant's bad faith.

18. 候選人在填寫此申報書及聲明書時如有任何問題，請在辦公時間內致電 2835 1557 與民政事務總署聯絡。如對《選舉（舞弊及非法行為）條例》（第 554 章）有任何查詢，可致電廉政公署的廉潔選舉查詢熱線 2920 7878。
If the candidate has any questions in completing this Return and Declaration, please call the Home Affairs Department at 2835 1557 during office hours. For enquiries relating to the Elections (Corruption and Illegal Conduct) Ordinance (Cap. 554), please call the Clean Election Enquiry Hotline of the Independent Commission Against Corruption at 2920 7878.

19. 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資料及其他有關的資料，會供民政事務總署、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 Return and Declaration will be used by the Home Affairs Department, the Returning Officer and related government departments for election-related purposes.

(b) **資料轉介**

此申報書及聲明書連同所有附件的副本會供公眾查閱直至根據《選舉（舞弊及非法行為）條例》（第 554 章）第 41 條規定申報書及聲明書可供公眾查閱的期間結束為止。在展示前，此申報書及聲明書連同所有附件內所有個人資料（捐贈者的姓名及地址除外）將會被遮蓋。就此申報書及聲明書提供的個人資料及其他有關的資料亦可能會提供予其他獲授權的部門或人士，包括但不限於法院，用於與選舉有關的用途。

Transfer of Information

A copy of this Return and Declaration and all attachments hereto will be made available for public inspection until the end of the period for which copies of Returns and Declarations are available for inspection under section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). All personal data (except the name and address of the donor) in this Return and Declaration and all attachments hereto will be covered before display. The personal data and other related information supplied in connection with this Return and Declaration may also be provided to other authorised departments or 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／她在此申報書及聲明書所提供的個人資料。

Access to Personal Data

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

(d) **個人資料保障原則**

候選人應留意，在收集第三者的個人資料以填寫此申報書及聲明書時，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，以確保個人資料受到保障而不受未獲准許的或意外的查閱、處理、刪除、喪失或使用。

Personal Data Protection Principles

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 Return and Declaration, in particular Principle 4 concerning the requirement to take all practicable steps to ensure that personal data are protected against unauthorised or accidental access, processing, erasure, loss or use.

(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 (Address : 30th Floor, Southern Centre, 130 Hennessy Road, Wan Chai, Hong Kong).

民政事務總署
2023 年 3 月
Home Affairs Department
March 2023

核證供應者發出的發票及收據副本樣本

Sample on certifying a copy of invoice and receipt issued by the supplier

<p>核證無誤及為真確副本 Certified correct and true copy</p> <p>[候選人簽署] [Signature of candidate]</p> <hr/> <p>[候選人姓名] [Name of candidate]</p> <p>[日期] [Date]</p>

備註：

Remarks:

候選人必須在發票及收據的副本上簽署，不應在載有上述資料的標貼上簽署。簽署須在載有支出詳情的同一頁面。

The candidate must sign on the copy of the invoice and receipt, and should not sign on a label containing the above-mentioned information. The signature must be on the same page where the particulars of the expenditure are set out.