

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

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

[附註： 請用正楷填寫此申報書及聲明書，填寫前請參閱《填寫接受選舉捐贈預先申報書及聲明書說明》（“說明”）。]
[Note: Please read the “Notes on Completion of Advance Return and Declaration of Election Donations” (“Notes”) before completing this Return and Declaration in BLOCK LETTERS.]

1. 我.....，地址為.....，
將在上述選舉中參選。

I, of
.....
will stand as a candidate at the above Election.

2. 我現就已接受之選舉捐贈預先申報如下。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：HYK/C/11/2023），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 advance return of election donations received. I will submit to the Returning Officer a “Return and Declaration of Election Expenses and Election Donations” (Form no.: HYK/C/11/2023) in accordance with section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) later, which will include all election donations accounted for in this Return and Declaration.

各項選舉捐贈（見說明第 2 項）

ELECTION DONATIONS (see Note 2)

（詳情列於以下各有關部分）

(with details supplied under each of the relevant Sections below)

選舉捐贈一覽表（詳情列於以下各有關部分）（見說明第 5 項）

Summary of election donations (with details set out under each of the relevant Sections below) (see Note 5)

1,000 元或以下之選舉捐贈（A 部）..... HK\$..... 港元
Election donations of \$1,000 or less (Section A)

1,000 元以上之選舉捐贈（B 部）..... HK\$..... 港元
Election donations of more than \$1,000 (Section B)

選舉捐贈總數 HK\$..... 港元
Total amount of election donations

減除：已處置之選舉捐贈（如有此情況）（C 部）（見說明第 4 項）..... HK\$..... 港元
LESS: Election donations disposed of (if any) (Section C) (see Note 4)

用於選舉中之捐贈總額 HK\$..... 港元
Total of election donations used for the election

A 部 : 1,000 元或以下之選舉捐贈
 Section A : Election donations of \$1,000 or less

日期／期間 Date/Period	選舉捐贈說明 Description of Election Donation	選舉捐贈金額或價值（港元） （見說明第 5 項） Amount or Value of Election Donation (HK\$) (see Note 5)
總數 Total		

B 部 : 1,000 元以上之選舉捐贈

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

請填報每名（不論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，並附上候選人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：HYK/C/10/2023）副本。所有收據副本上應順序註明編號，而編配予每一收據副本的編號應填寫在“收據副本”一欄內的相應位置，以資對照。

Please enter the name and address of each donor who has donated more than \$1,000 in total (whether in a single or multiple election donations). Each entry must be accompanied with a copy of the “Standard Receipt for Election Donations” (Form no.: HYK/C/10/2023) issued by the candidate to the donor. All copies of receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each copy of receipt should be correspondingly entered in the “Copy of Receipt” column.

捐贈者 (見說明第 6 項) Donor (see Note 6)		選舉捐贈說明 Description of Election Donation	選舉捐贈 金額或價值 (港元) (見說明第 5 項) Amount or Value of Election Donation (HK\$) (see Note 5)	收據副本 Copy of Receipt
姓名或名稱 Name	地址 Address			
總數 Total				

C 部 : 已處置之選舉捐贈（如有）（見說明第 4 項）

Section C : Election donations disposed of (if any) (see Note 4)

每項填報資料均須附上收款人所發之收據副本，所有收據副本上須順序註明編號，而編配予每一收據副本的編號應填寫在“收據副本”一欄內的相應位置，以資對照。

Each entry must be accompanied with a copy of the receipt issued by the recipient. All copies of receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each copy of receipts should be correspondingly entered in the “Copy of 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	金額或價值(港元) (見說明第 5 項) Amount or Value (HK\$) (see Note 5)	收據副本 Copy of Receipt
總數 Total		

聲明書
FORM OF DECLARATION

候選人姓名（正楷）：

Name of Candidate:
(in BLOCK LETTERS)

本人，作為下方簽署的候選人，謹以至誠鄭重聲明，本人、本人的選舉代理人及任何其他人代表或為本人在.....年.....月.....日至.....年.....月.....日期間（首尾兩天包括在內）所接受之所有選舉捐贈，據本人所知及所信，已準確詳列於此申報書及聲明書內；所有在前述期間內已由本人處置之選舉捐贈，亦已按此申報書及聲明書所列出的方式處置。

I, the undersigned candidate, hereby solemnly and sincerely declare that, to the best of my knowledge and belief, all election donations received by me, by my election agent and by any other person(s) on my behalf or on my account during the period fromto(both dates inclusive) are accurately accounted for in this Return and Declaration; and all election donations disposed of by me during the aforesaid period have been disposed of in the manner as set out in this Return and Declaration.

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 theday 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

Notes on Completion of Advance Return and Declaration of Election Donations

1. 填寫此申報書及聲明書前，請閱讀《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) before completing this Return and Declaration.
2. 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(s) in this Return and Declaration.
3. 根據《選舉（舞弊及非法行為）條例》（第 554 章）第 2 條，“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。According to section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), “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.
4. 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，候選人均須在呈交選舉申報書之前按照《選舉（舞弊及非法行為）條例》（第 554 章）第 19(2)-(4)條處置，並在選舉申報書附上收款人發出的收據副本。否則，選舉申報書須附有書面解釋，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 the election return is lodged. The election return must be accompanied by copy of the receipt given by the recipient thereof. Otherwise, the election return 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.

5. 請用中文或英文填寫此申報書及聲明書。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。

Please complete this Return and Declaration in Chinese or English. 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 it off to no more than 2 decimal places.

6. 當收取每項價值 1,000 元以上的選舉捐贈（不論是以金錢、貨品或服務形式抵付）時，候選人必須向捐贈者發出收據，載明該捐贈者的姓名或名稱及地址（一如捐贈者所提供）及該項選舉捐贈的詳情。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。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。

On receiving each election donation (whether by way of money, goods or service) of more than \$1,000 in value, the candidate must issue to the donor a receipt which specifies the name and address of the donor concerned (as supplied by the donor) and the particulars of the election donation concerned. 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 donor and particulars of the donations in this Return and Declaration. 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 and 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 election 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.

7. 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.
8. 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.
9. 所有收據副本上應順序註明編號，而編配予每一收據副本的編號應填寫在“收據副本”一欄內的相應位置，以資對照。
All copies of receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each copy of receipts should be correspondingly entered in the “Copy of Receipt” column.
10. 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 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.
11. 於此申報書及聲明書預先申報的選舉捐贈／已處置之選舉捐贈（如有的話），亦須在《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1H)條規定的限期屆滿之前，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：HYK/C/11/2023）內。
The election donations/election donations disposed of (if any) so disclosed in advance in this Return and Declaration must also be incorporated in the “Return and Declaration of Election Expenses and Election Donations” (Form no.: HYK/C/11/2023) to be submitted to the Returning Officer by the statutory deadline as required under section 37(1H) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).
12. 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。
If the candidate has any questions in completing this Return and Declaration, please call the Home Affairs Department at 2835 1557 during office hours.
13. 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 election returns and declaration 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
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