

招致選舉開支的人的授權通知書

NOTICE OF AUTHORIZATION OF PERSON TO INCUR ELECTION EXPENSES

《選舉（舞弊及非法行為）條例》（第 554 章）第 23 及 24 條及

《選舉程序（村代表選舉）規例》（第 541 章，附屬法例 L）第 23 條

Sections 23 and 24 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and

Section 23 of the Electoral Procedure (Village Representative Election) Regulation (Cap. 541 sub. leg. L)

村代表補選（*原居民代表／居民代表）

Village Representative By-election (*Indigenous Inhabitant Representative/ Resident Representative)

鄉事委員會

村

Rural Committee

Village

補選日期：_____年____月____日

Date of By-election: _____

〔備註：在填寫此通知書前，請參閱《授權招致選舉開支的說明》。〕

[Note: Before completing this notice, please read the “Notes on Authorization of Person to Incur Election Expenses”.]

第一部分 授權（由候選人填寫）

PART I AUTHORIZATION (To be completed by candidate)

1. 我是上述補選的候選人，現授權下述人士為我的選舉開支代理人，以代表我在上述補選中或與上述補選有關的情況下招致選舉開支－

I, the candidate for the above-named By-election, hereby authorize the following person to act as my election expense agent to incur election expenses on my behalf at or in connection with the above By-election –

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

身分證明文件（請註明）號碼（見說明第 5 項）：_____

Identity Document (please specify) Number (see Note 5)

聯絡電話：_____

Contact Telephone Number

住址：_____

Residential

Address

2. 我現授權上述人士代表我招致選舉開支，最高限額為港幣_____元。該指定限額包括各項應計算入選舉開支的以貨物或服務抵付形式作出的捐贈（以公允而合理價值作估值）。（請參閱說明第 8 項）

I hereby authorize the above-named person to incur on my behalf election expenses up to a maximum amount of HK\$_____. This specified amount includes all expenses covered by donations in kind (assessed at a fair and reasonable value) which must be accounted for (see Note 8).

- *3. 本授權取代在 _____（日期）給予上述人士的授權，該原有授權的最高限額為港幣_____元。

This authorization supersedes the previous authorization dated _____ (date) to the above-named person in respect of a maximum amount of HK\$_____.

4. 我清楚明白，我須為我整體的選舉開支金額負責。倘若由我及／或我的選舉開支代理人所招致的選舉開支總額超逾規定上限，除非我能證明任何超額開支是在並非因我疏忽，以及在未經我的同意或授權的情況下所招致的，否則我要負抵觸法例之責。

I understand that I shall be responsible for the overall amount of my election expenses. If the total amount incurred by me and/or by my election expense agent(s) exceeds the prescribed limit, I shall be liable to contravening the law, unless I can prove that the excess was incurred without negligence on my part and without my consent or in excess of an amount specified in an authorization.

5. 我可隨時將由我簽署的書面通知（表格編號：HAD/C4/By-E）送交有關的選舉主任，以撤銷此授權。但在選舉主任收到撤銷授權通知書前招致的獲授權選舉開支，須計算在我的選舉開支總額內。

This authorization may be revoked by me at any time by signing and delivering to the relevant Returning Officer a notice of revocation in the prescribed form (form no.: HAD/C4/By-E). However, election expenses incurred under or pursuant to this authorization before such notice of revocation is received by the Returning Officer concerned shall be counted towards my total election expenses.

候選人簽署：_____
Signature of Candidate

候選人姓名（正楷）：_____
Name of Candidate (in BLOCK LETTERS) (姓 Surname) (名 Other name)

香港身分證號碼：_____
Hong Kong Identity Card Number

日期：_____
Date

第二部分 接受授權

（由接受授權招致選舉開支的人填寫）

Part II ACCEPTANCE

(To be completed by the person authorized to incur election expenses)

6. 我的個人資料已列於上述第 1 段，我現接受本表格第一部分所述候選人給予我之授權。
I, whose particulars are set out in paragraph 1 above, hereby accept the authorization given to me by the candidate named in Part I of this notice.

- *7. （如沒有填寫上述第 3 段以取代原有之授權，請刪去本段）
(Please cross out this paragraph if paragraph 3 above has not been completed to supersede the previous authorization.)

我確認我代表候選人已招致的選舉開支並未超逾上述第 2 段或第 3 段指定的限額。

I hereby confirm that I have not incurred election expenses on behalf of the candidate in excess of the amount specified in paragraph 2 above or that specified in paragraph 3 above.

8. 我清楚明白我代表候選人所招致的選舉開支不可超逾上述第 2 段指定的限額，否則，我將會抵觸法例。

I understand that I may not incur any election expenses on behalf of the candidate in excess of the amount as specified in paragraph 2 above. If I do, I shall be contravening the law.

9. 我須就代表候選人招致的所有選舉開支記存帳目，並須在選舉結束後，在切實可行的情況下，盡快向候選人呈交－

I shall keep accounts of all election expenses incurred by me on behalf of the candidate and shall, as soon as practicable after the election submit to the candidate –

- (a) 一份詳細的開支帳目申報表，並就每項 100 元或以上的開支附上發票及收據，作為證明；
a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of \$100 or above;

- (b) 如某項選舉開支包括了捐贈予候選人而用於促使候選人當選或阻礙其他候選人當選的物品或服務的價值，一份列明該些物品及服務合理估值的申報書；
if any election expense includes the value of goods and/ or services donated to the candidate and which are used for promoting the election of the candidate or prejudicing the election of other candidates, a statement showing the assessed reasonable value of the goods and services;
- (c) 就(b)段每項 1,000 元以上的開支，附上由捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號為 HAD/C2/By-E）；及
a receipt of donation (i.e. "Standard Receipt for Election Donations", the form no. of which is HAD/C2/By-E) signed by the donor for each item of expenditure in (b) of exceeding \$1,000; and
- (d) 就(b)段每項 1,000 元或以下的開支，附上捐贈收據或由我簽署的紀錄，載有獲提供服務或物品日期、有關供應者的姓名或名稱及詳細地址、服務或物品的詳細資料，及其估計價值。
a receipt of donation or a record signed by me giving the date when services or goods are furnished, the name and full address of the supplier concerned, the full details of the services or goods and the estimated value for each item of expenditure in (b) of \$1,000 or less.

接受授權招致選舉開支的人簽署：_____

Signature of the Person Authorized to Incur Election Expenses

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS) （姓 Surname） （名 Other name）

日期：_____

Date

第三部分 證明（由見證人填寫）

Part III ATTESTATION (To be completed by a witness)

10. 我聲明本表格第一部分及第二部分是於我見證下填寫及簽署。
I hereby declare that Parts I and II of this form were completed and signed in my presence.

11. 我的個人資料如下—
My particulars are as follows —

中文姓名（正楷）：_____

Name in Chinese

英文姓名（大楷）：_____

Name in English (in BLOCK LETTERS) （姓 Surname） （名 Other name）

身分證明文件（請註明）號碼（見說明第 5 項）：_____

Identity Document (please specify) Number (see Note 5)

住址：_____

Residential Address _____

日期：_____ 見證人簽署：_____

Date Signature of Witness

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

授權招致選舉開支的說明

Notes on Authorization of Person to Incur Election Expenses

1. 在這通知書及說明中，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. 除非候選人以指明表格明文另作示明，有關授權是為在預定日期進行投票或（如適用者）於遭押後之補選而作出。
Unless the candidate expressly indicates otherwise in the specified form, the authorization is for the stated By-election the poll of which is to be conducted on the scheduled date as stated in return or (where applicable) the postponed or adjourned poll.
3. 只有候選人或候選人 預先 以書面授權的人方可招致任何選舉開支。候選人 可授權一人或多於一人代其招致選舉開支。“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為促使該候選人當選，或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。只有年滿 18 歲的人士可獲如此授權。然而，候選人應確保他所授權的人士並非選舉主任、助理選舉主任、或任何已獲民政事務總署委任協助進行投票或點票的人士（通常為政府公職人員）。
Only a candidate or person(s) with the candidate's prior authorization in writing may incur election expenses. A candidate may authorize one or more persons to incur election expenses on his behalf. “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 promoting the election of the candidate; or prejudicing the election of another candidate, and includes the value of election donations consisting of goods and services used for that purpose. Only a person who has attained the age of 18 years can be so authorized. However, a candidate should ensure that the person authorized is not a Returning Officer, Assistant Returning Officer, or any person (usually a Government officer) already appointed by the Home Affairs Department to assist at the poll or the count.
4. 一份授權書只能用作授權一位人士。如未得候選人書面授權，任何人士皆不可招致選舉開支。候選人必須確保獲授權的選舉開支限額總數不會超出有關鄉村的選舉開支上限。
A separate authorization must be used for authorizing each person. No election expenses shall be incurred by any person unless he is so authorized by a candidate in writing. A candidate must ensure that the total authorized amount of election expenses that he authorized will not exceed the election expenses ceiling applicable to the relevant village.
5. 本授權書第一部分應由候選人填寫（包括獲授權招致選舉開支的人的姓名及住址）及簽署。第二部分應由獲授權招致選舉開支的人填寫及簽署。第三部分應由一位見證人填寫及簽署。任何年滿 18 歲並持有身分證明文件的人士均可擔任見證人。根據《村代表選舉條例》（第 576 章）第 2(1)條，“身分證明文件”（identity document）指 –
Part I of the form should be completed (with name and residential address of the person authorized to incur election expenses) and signed by the candidate. Part II should be completed and signed by the person authorized to incur election expenses. Part III should be completed and signed by a witness who should be a person holding an identity document and aged 18 years or over. According to section 2(1) of the Village Representative Election Ordinance (Cap. 576), “identity document”（身分證明文件） means –
 - (a) 身分證；或
an identity card; or
 - (b) 向某人發出而可獲選舉登記主任接受為該人的身分證明的任何其他文件。
any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity.
6. 授權書的文本，可藉專人送遞、或以郵遞或圖文傳真方式送達有關的選舉主任或（如未委任選舉主任）有關的民政事務專員。有關授權書只有在有關的選舉主任或有關的民政事務專員收到後方為有效。根據《選舉（舞弊及非法行為）條例》（第 554 章）第 23(7)條，除非授權書在有關的選舉期間結束前被撤銷，否則該等授權書持續有效，直至有關的選舉期間結束為止。根據該條例第 2(1)條，“選舉期間”指由選舉提名日起，至選舉投票日止的期間。
Service of a copy of the authorization may be effected by delivery by hand, by post or by facsimile transmission to the relevant Returning Officer or, if the Returning Officer has not yet been appointed, the relevant District Officer. The authorization will be effective only after it is received by the relevant Returning Officer or the relevant District Officer. According to section 23(7) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the authorization remains in force until the end of the relevant election period unless it is revoked earlier. According to section 2(1) of that ordinance, “Election period” means the period beginning with the nomination day for the election and ending with the polling day for the election.
7. 根據《選舉程序（村代表選舉）規例》（第 541 章，附屬法例 L）第 24 條，選舉主任會在切實可行範圍內盡快將收到的每份授權書的副本供公眾查閱。
According to section 24 of the Electoral Procedure (Village Representative Election) Regulation (Cap. 541 sub. leg. L), a copy of the authorization must be made available for public inspection as soon as practicable after it is received by the Returning Officer.
8. 如一項開支是由一項捐贈所抵付，例如印刷商免費供應紙張及印刷傳單（由候選人或獲授權招致選舉開支的人與印刷商所安排），則須以該印刷商通常的收費而估計是項開支的合理價錢，而計算在獲授權招致的選舉開支內。獲授權招致選舉開支的人須把該等開支記存帳目，如捐贈是價值 1,000 元以上者，並須附上由捐贈者簽署的捐贈收據證明（請用「劃一格式選舉捐贈收據」，表格編號：HAD/C2/By-E）。

If an item of expense is covered by a donation, for example, the printer of leaflets does not charge for the paper and the printing (by arrangement made either by the candidate or the person authorized to incur election expenses with the printer), the expense should be assessed at a fair and reasonable value, which is the normal price charged by the printer, the expense forms part of the expenses authorized to be incurred. This expense should be accounted for by the person authorized to incur election expenses, if it is more than \$1,000 in value, and evidenced by a receipt of donation (in the standard form “Standard Receipt for Election Donations”, form no. : HAD/C2/By-E) signed by the donor.

9. 為了協助候選人呈交「選舉開支及接受選舉捐贈之申報書及聲明書」(表格編號：HAD/C1/By-E)，獲授權招致選舉開支的人須就所有代候選人招致的選舉開支記存帳目，並須在選舉後，在切實可行的情況下，盡快向候選人呈交－
In order to assist the candidate in filing the “Return and Declaration of Election Expenses and Election Donations” (form no.: HAD/C1/By-E), the person authorized to incur election expenses should keep accounts of all election expenses incurred by him on behalf of the candidate and as soon as practicable after the election submit to the candidate –
- (a) 一份詳細的開支申報表，並就每項 100 元或以上的開支附上發票及收據，作為證明；
a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of \$100 or above;
 - (b) 如某項選舉開支包括了捐贈予候選人而用於促使候選人當選或阻礙其他候選人當選的物品或服務的價值，一份列明該些物品及服務合理估值的申報書；
if any election expense includes the value of goods and/ or services donated to the candidate and which are used for promoting the election of the candidate or prejudicing the election of other candidates, a statement showing the assessed reasonable value of the goods and services;
 - (c) 就(b)段每項 1,000 元以上的開支，附上由捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號：HAD/C2/By-E）；及
a receipt of donation (in the standard form “Standard Receipt for Election Donations”, form no. : HAD/C2/By-E) signed by the donor for each item of expenditure in (b) of exceeding \$1,000; and
 - (d) 就(b)段每項 1,000 元或以下的開支，附上捐贈收據或由該獲授權招致選舉開支的人簽署的紀錄，載有獲提供服務或貨品的日期、有關供應者的姓名或名稱及詳細地址、服務或貨品的詳細資料，及其估計價值。
a receipt of donation or a record signed by the person authorized to incur the expense giving the date when services or goods are furnished, the name and full address of the supplier concerned, the full details of the services or goods and the estimated value for each item of expenditure in (b) of \$1,000 or less.
10. 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「選舉開支及接受選舉捐贈之申報書及聲明書」（表格編號：HAD/C1/By-E）－
Under section 37(2) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the candidate must ensure that the “Return and Declaration of Election Expenses and Election Donations” (form no.: HAD/C1/By-E) is lodged –
- (a) 在選舉結果公布的日期後的 30 天屆滿之前提交；及
not later than 30 days after the date of publication of the result of the election; and
 - (b) 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
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
 - (c) 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，
if the election has failed under the relevant electoral law, not later than 30 days after the declaration of the failure of the election,
- 或在原訟法庭根據上述條例第 40 條容許的延長限期內提交。
or within such extended period as may be allowed by the Court of First Instance under section 40 of the said Ordinance.
11. 候選人在填寫此通知書時如有任何問題，請在辦公時間內致鄉郊代表選舉熱線 2152 1521。
If the candidate has any difficulty in completing this notice, please contact Rural Representative Election hotline at 2152 1521 during office hours.
12. 請注意下列有關在此通知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 notice –

(a) **資料用途**

就此通知書提供的個人及其他有關的資料，會供民政事務總署及選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 notice will be used by the Home Affairs Department and the Returning Officer for election-related purposes.

(b) **資料轉介**

此通知書 將根據《選舉程序（村代表選舉）規例》（第 541 章，附屬法例 L）提供給公眾查閱。在展示前，表格內所有身分證明文件號碼將會被遮蓋。有關此通知書內的資料可能會提供予其他獲授權的部門／機構／人士，包括（但不限於）法院，用於與選舉有關的用途。

Transfer of Information

The notice will be made available for public inspection in accordance with the Electoral Procedure (Village Representative Election) Regulation (Cap. 541 sub. leg. L). All identity document numbers provided in the form will be covered before display. The information concerned may also be provided to other authorized departments/organizations/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所提供的個人資料。

Access to Personal Data

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

(d) **保障個人資料原則**

請注意，候選人在收集第三者的個人資料以填寫有關表格時，須遵守《個人資料（私隱）條例》（第 486 章）附表 1 的資料保障原則，特別是第 4 原則，即採取所有切實可行的步驟，以確保資料受到保障而不受未獲准許的或意外的查閱和處理。

Personal Data Protection Principle

The candidate is reminded to observe the Data Protection Principles in Schedule 1 to the Personal Data (Privacy) Ordinance (Cap.486) in collecting personal data of a third person in completing the relevant form, in particular Principle 4 concerning the requirement to take all practicable steps to ensure that personal data are protected against unauthorized or accidental access and processing.

(e) **查詢**

如欲查詢透過本表格收集的個人資料（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 form (including requests for access to and corrections of personal data) should be addressed to the Director of Home Affairs at 30th Floor, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong.

民政事務總署
Home Affairs Department