

致選舉主任：

使用選民資料承諾書

我 _____ (候選人姓名) 於 _____ (日期) 從選舉主任收妥一套載有 (*原居民代表／居民代表／街坊代表) 有關 _____ (鄉事委員會) _____ (村／墟鎮) 登記選民的通訊地址的軟複本。

我承諾：

- (1) 只會將上述資料用於有關 2016 年 11 月 27 日 舉行的鄉郊補選的用途；
- (2) 會盡我所能防止選民的個人資料遭洩露給未獲授權人士，以及如不慎洩露了選民的個人資料的情況下，會防止第三者濫用有關資料，包括但不限於通知第三者他們正持有用作編製選民登記冊的個人資料，並要求對方立即刪除有關資料；以及
- (3) 在 2016 年 11 月 27 日 舉行的鄉郊補選後 兩星期內 把所有已領取物品及選民個人資料妥善銷毀。

我明白：

- (1) 任何人士如為與 2016 年 11 月 27 日 舉行的鄉郊補選競選活動有關目的以外的任何目的，將上述光碟內的選民資料自行或准許他人以任何形式重現或複製、自行或准許他人使用，或告知任何其他人，均屬違法，最高可被罰款港幣 5,000 元及監禁六個月[#]；以及
- (2) 選舉管理委員會及香港特別行政區政府(包括民政事務總署)概不就候選人故意或不慎洩露選民的個人資料給未獲授權人士，或將選民的個人資料用於非競選活動用途承擔任何責任。候選人必須就洩露選民的個人資料給未獲授權人士，或將選民的個人資料用於非競選活動用途承擔一切責任，並須就其所引致或涉及的一切法律責任、費用、開支、法律行動、法律程序、申索、要求、損失及損害賠償，向選舉管理委員會及政府作出彌償，並保持令其獲得彌償。

我已閱讀及明白「使用選民資料承諾書須知(補充資料)」。

候選人簽署： _____

候選人姓名： _____

日期： _____

* 請刪去不適用的資料

詳見選舉管理委員會(選民登記)(鄉郊代表選舉)規例(第 541K 章)第 31(4)條及 32(3)條。

To: Returning Officer

Undertaking on the Use of Electors' Information

I _____ (Name of Candidate) acknowledge receipt of a soft copy of the postal address of registered electors for the _____ (Village / Market Town) (*Indigenous Inhabitant Representative / Resident Representative / Kaifong Representative) of the _____ (Rural Committee) from the Returning Officer on _____ (Date).

I undertake:

- (1) to use the aforesaid information solely for the purpose related to the Rural By-election to be held on 27 November 2016;
- (2) to make every endeavor to prevent any disclosure of electors' personal data to unauthorized persons and, in the event of inadvertent disclosure of electors' personal data, to prevent any misuse of the relevant information by third parties, including but not limited to informing the third parties that they are in possession of electors' personal data obtained for the purpose of compiling a register of electors and requiring them to delete the relevant information immediately; and
- (3) to dispose of all collected item(s) and electors' personal data properly within 2 weeks after the Rural By-election to be held on 27 November 2016.

I understand that :

- (1) it is an offence for any person to reproduce or permit another person to reproduce in any form, use or permit other person to use, or impart to any other person, the electors' information in the above disk for any purposes other than the purpose related to the Rural By-election to be held on 27 November 2016. Any person who commits the said offence is liable to a fine of HK\$5,000 and imprisonment for 6 months[#]; and
- (2) the Electoral Affairs Commission and the Government of the Hong Kong Special Administrative Region (including Home Affairs Department) shall not be responsible for any disclosure, intentional or inadvertent, of electors' personal data to unauthorised persons, or for any use of electors' personal data for non-electioneering activities by the candidate. The candidate shall be responsible for any disclosure of electors' personal data to unauthorised persons or any use of electors' personal data for non-electioneering activities, and shall indemnify and keep indemnified the Electoral Affairs Commission and the Government against all liabilities, costs, expenses, actions, proceedings, claims, demands, losses and damages arising out of or in connection with such disclosure or use.

I have read and understood the "Supplementary Note on Undertaking on the use of Electors' Information".

Signature of Candidate : _____

Name of Candidate : _____

Date : _____

* Please delete as appropriate

See section 31(4) and 32(3) of the Electoral Affairs Commission (Registration of Electors)(Rural Representative Election) Regulation (Cap 541K)