

選舉代理人委任通知書
NOTICE OF APPOINTMENT OF ELECTION AGENT

《選舉程序（鄉郊代表選舉）規例》(第 541L 章)第 22 條
Section 22 of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 L)

鄉郊補選（*原居民代表／居民代表／街坊代表）
Rural By-election
(*Indigenous Inhabitant Representative/ Resident Representative/ Kaifong Representative)

鄉事委員會
Rural Committee

村／墟鎮
Village/ Market Town

補選日期 : _____ 年 _____ 月 _____ 日
Date of By-election : _____

[備註：在填寫此通知書前，請參閱《填寫委任選舉代理人通知書說明》(說明)。]

[Note: Before completing this notice, please read the "Notes on Completion of Notice of Appointment of Election Agent" (Note(s)).]

第一部分 委任（由候選人填寫）

PART I APPOINTMENT (To be completed by candidate)

1. 我是上述補選的候選人，現委任下列人士在上述補選中擔任我的選舉代理人—
I, the candidate for the above-named By-election, hereby appoint the following person to act as my election agent at 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)

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

聯絡電話號碼： _____
Contact Telephone Number

住址： _____
Residential Address

通訊地址： _____
Correspondence Address

（如與住址相同，請填寫“同上”）（見說明第 9(b)項）
(If same as the residential address, please write “same as above”) (see Note 9(b))

2. 我明白，我的選舉代理人可以代表我進行一切我身為候選人可根據《選舉程序（鄉郊代表選舉）規例》(第 541L 章)合法進行與上述補選有關的事情，惟下列事情除外—
I understand that my election agent may do all things on my behalf that I as the candidate can lawfully do under the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 L) in connection with the above by-election except the following –

(a) 就我的提名，替我簽署提名表格或作出任何必要的聲明或承諾誓言；
to sign the nomination form or make any requisite declaration or promissory oath in relation to my nomination;

(b) 替我退出上述補選；
to withdraw my candidature;

- (c) 招致選舉開支（除非他／她已獲我委任為選舉開支代理人）；
to incur election expenses save where he/she has been appointed as an election expense agent by me;
- (d) 授權選舉開支代理人招致選舉開支；
to authorise an election expense agent to incur election expenses;
- (e) 進入設於監獄內的專用投票站，但如取得懲教署署長同意，則屬例外；及
to be present in a dedicated polling station situated in a prison, unless the Commissioner of Correctional Services has given consent to the election agent's presence; and
- (f) 進入設於高度設防監獄內的專用投票站。
to be present in a dedicated polling station situated in a maximum security prison.
3. 我亦明白，我須對選舉代理人的所有行動負責。若我的選舉代理人失職，他／她可能觸犯《選舉（舞弊及非法行為）條例》（第 554 章）及／或其他有關法例並遭刑事檢控，我可能亦須為此負責，並承擔一切後果。
I also understand that I am responsible for all the acts of my election agent. If he/she fails in his/her duties, he/she may contravene the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and/or other relevant legislation and be prosecuted, I may also be held responsible for all consequences arising therefrom.
4. 我可隨時將由我簽署的書面通知送交有關鄉郊地區的選舉主任，以撤銷此選舉代理人的委任。
This appointment of election agent may be revoked by me at any time by delivering to the Returning Officer for the relevant rural area a notice in writing and signed by me to that effect.

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： _____ 候選人簽署： _____
Date Signature of Candidate

第二部分 接受委任（由選舉代理人填寫）

PART II ACCEPTANCE OF APPOINTMENT (To be completed by election agent)

5. 我的個人資料乃如上述第 1 段所列。我現接受本通知書第一部分所述之委任。
My personal particulars are shown in paragraph 1 above. I hereby accept the appointment as stated in Part I of this notice.
6. 我明白 –
I understand –
- (a) 上述第一部分第 2 段關於本人作為選舉代理人的法律權限說明；
my legal authority as an election agent as stated in paragraph 2 of Part I above;
- (b) 若我失職，我可能觸犯《選舉（舞弊及非法行為）條例》（第 554 章）及／或其他有關法例並遭刑事檢控，我須承擔一切後果；及
if I fail in my duties, I may contravene the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and/or other relevant legislation and be prosecuted and be held responsible for all consequences arising therefrom; and
- (c) 候選人及其他獲候選人委任的代理人須遵守的規定亦適用於我。
the provisions to be observed by the candidate and other agents appointed by the candidate are also applicable to me.

選舉代理人簽署：_____

Signature of Election Agent

選舉代理人姓名（正楷）：_____

Name of Election Agent (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)

7. 我現聲明本通知書第一部分及第二部分乃分別由候選人及選舉代理人於我見證下填寫及簽署。
I hereby declare that Parts I and II of this notice were completed and signed by the candidate and the election agent respectively in my presence.

8. 我的個人資料如下—
My personal 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（請註明類別及號碼）（見說明第 5 項）：_____

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

住址：_____

Residential
Address

日期：_____ 見證人簽署：_____

Date

Signature of Witness

填寫委任選舉代理人通知書說明

Notes on Completion of Notice of Appointment of Election Agent

1. 除非候選人以指明表格明文另作示明，有關代理人須當作是為是次補選（不論投票是在預定日期進行或遭延遲或押後至較後日期進行）而委任。

The agent is to be regarded as being appointed for this election (regardless of whether the poll is to be conducted on the scheduled date or is postponed or adjourned to a later date), unless the candidate expressly indicates otherwise in the specified form.

2. 每一位候選人只可委任一名選舉代理人。凡年滿 18 歲的香港身分證持有人便可被委任為選舉代理人。然而，候選人應確保並無委任任何選舉主任、助理選舉主任，或任何已受選舉主任／民政事務總署署長委任協助進行投票或點票的人士（通常為政府公職人員）為其選舉代理人。

A candidate may appoint one election agent only. Any person who is a holder of a Hong Kong Identity Card and has attained the age of 18 years may be appointed as an election agent. However, a candidate should ensure that he/she does not appoint any Returning Officer, Assistant Returning Officer, or any person (usually a Government officer) already appointed by the Returning Officer / Director of Home Affairs to assist at the poll or at the count as his/her election agent.

3. 填妥的委任通知書，須藉專人送遞、郵遞、電子郵件或圖文傳真方式送交有關鄉郊地區的選舉主任。若委任通知書於投票日提交，則不可藉郵遞方式交付予選舉主任。選舉主任接獲委任通知書後，該項委任方正式生效。

The duly completed notice must be delivered by hand, by post, by electronic mail or by facsimile transmission to the Returning Officer for the relevant rural area. If the notice of appointment is given on the polling day, it must not be delivered to the Returning Officer by post. The appointment will not be effective until the notice is received by the Returning Officer.

4. 除了少數例外的事項外（請參閱本通知書第一部分第 2 段），獲正式委任的選舉代理人處理一切原本根據《選舉程序（鄉郊代表選舉）規例》（第 541L 章）可由作出委任的候選人處理與是次補選有關的事務，亦可於候選人缺席的任何時候，代表候選人採取任何與補選有關的行動。這些由選舉代理人採取的行動，效力與候選人親自採取的行動無異。選舉代理人須另獲候選人授權，方可招致選舉開支。

With a few exceptions (please make reference to paragraph 2 of Part I of this notice), a duly appointed election agent has authority to do all things which can be done by the appointing candidate under the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 L) in connection with this by-election. He/She may also at any time in the absence of the candidate take any steps on behalf of the candidate in connection with the election. Any such acts carried out by the election agent are as effective as if they had been done by the candidate himself/herself. An election agent can incur election expenses only if he/she is authorised separately by the candidate.

5. 本通知書第一部分應由候選人填寫（包括有關選舉代理人的姓名、身分證文件號碼及住址）及簽署。第二部分應由選舉代理人填寫及簽署。填寫及簽署第一部分及第二部分時，均須有一位見證人在場。見證人可以是任何年滿 18 歲並持有身分證文件的人士。見證人應填寫及簽署本通知書第三部分。根據《鄉郊代表選舉條例》（第 576 章）第 2(1)條，“身分證文件”（identity document）指 –

Part I of this notice should be completed (with name, identity document number and residential address of the election agent given) and signed by the candidate. Part II should be completed and signed by the election agent. Both parts must be completed and signed in the presence of a witness who can be any person aged 18 years or over and in possession of an identity document. The witness is required to complete and sign Part III of this notice. According to section 2(1) of the Rural Representative Election Ordinance (Cap. 576), “identity document” (身分證文件) 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. 選舉主任會向有關鄉郊地區的所有其他候選人送交載有選舉代理人詳情的通知。他／她亦會將該

通知展示於其辦事處外的顯眼地方。

The Returning Officer will send to all other candidates for the rural area concerned a notice of particulars of election agents. He/She will also display such a notice in a prominent place outside his/her office.

7. (a) 就每名候選人而言，在候選人、其選舉代理人或其監察投票代理人中，同一時間內只限一人進入及停留在一個投票站內監察投票。因此，如候選人或他／她的選舉代理人正逗留在投票站內，則該候選人的監察投票代理人不得同時逗留在投票站內。
For each candidate, only one among the candidate, his/her election agent or his/her polling agent will be admitted to a polling station to observe the poll at any one time. Therefore, when a candidate or his/her election agent is present within a polling station, a polling agent of that candidate shall not be present at the same time in the polling station.
- (b) 投票站主任可以規限可進入投票站的候選人、選舉代理人或監察投票代理人的數目。如可容納該等人士的指定範圍已滿座，投票站主任可拒絕其他該等人士在該時間進入投票站。
The admission into the polling station of a candidate, his/her election agent or polling agent is subject to the overriding power of the Presiding Officer to regulate the number of persons admitted to the polling station. If full capacity of the area inside the polling station designated for such persons has been reached, the Presiding Officer may refuse further admission at that point of time.
- (c) 進入投票站的指定範圍監察投票一般採用先到先得的方法。假若在同一時間內要求進入指定範圍的人數超額，將以抽籤決定進入的先後次序。
Admission to the designated area of the polling station to observe the poll will normally be on a first-come-first-served basis. If the number of persons seeking admission at the same time exceeds the capacity, then lots will be drawn to determine the priority of entry.
- (d) 獲准進入指定範圍的人士，只可在指定範圍內逗留一小時；除非在指定範圍內的人數並未滿額，亦無其他人士在輪候進入該範圍，否則一小時後他／她必須離開。每位進入投票站指定範圍的人士須在投票站職員保管的簽到冊簽到並記錄進入時間。
A person will only be allowed to stay in the designated area for ONE HOUR, thereafter he/she must leave unless the designated area is not fully occupied and no other person is waiting to be admitted. Every person admitted to the polling station is required to sign in and enter the time of admission on the log book kept by the polling staff.
- (e) 當指定範圍所能容納的人數額滿時，輪候的每位人士會獲發一個號碼籌，以記錄指定範圍有空位時他／她獲准入內的次序。當輪到持有某一號碼籌的人士進入該範圍時，投票站人員會在投票站入口宣布該號碼。如該號碼持有人當時並不在場，則持有下一個號碼籌的人士會被獲准進入指定範圍。當缺席的人士再次回到投票站外時，便須重新領取另一號碼輪籌候。
When the designated area is full, each person waiting to be admitted will be issued a number chit in sequence to record the order of his/her entry to the designated area when a vacant seat arises. When it is his/her turn, his/her number will be called outside the entrance to the polling station, but if he/she is not present, then admission will be granted to the one holding the next number chit. Such an absentee will have to obtain another number chit and join the queue afresh on his/her return.
- (f) 如候選人或其代理人要求進入投票站但直至投票結束前的所有等候時段已滿，即沒有空缺的時段可以分配給該候選人或其代理人。然而，如該候選人或其任何一位代理人均未曾於投票日進入該投票站觀察投票，相關的投票站主任會盡量透過特別安排給予該候選人／代理人於投票結束前進入該投票站觀察投票的機會。在這特別安排下，如果獲分配最後等候時段進入投票站的候選人或其任何一位代理人，已曾於較早時獲分配時段於該投票站觀察投票，上述要求進入投票站的候選人或代理人將會取代此人，獲分配該時段。
If a candidate or his/her agent seeks admission to a polling station but all the waiting slots are full until the close of poll, no vacant slot can be allocated to the candidate or his/her agent. However, if none of this candidate or his/her agent has earlier entered the polling station to observe the poll on the polling day, the Presiding Officer concerned will endeavour to give the candidate/agent an opportunity to enter the polling station to observe the poll before the close of poll under a special arrangement. Under this special arrangement, the person will replace the candidate or his/her agent who has been allocated the last waiting slot for admission to the polling station if this last candidate or any of his/her agents has already been given an earlier slot to observe the poll at that polling station.
8. 候選人在填寫此通知書時如有任何問題，請在辦公時間內致電鄉郊代表選舉熱線 2152 1521。
If the candidate has any difficulty in completing this notice, please call the Rural Representative Election hotline at 2152 1521 during office hours.

9. 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，會供選舉管理委員會、民政事務總署、有關鄉郊地區的選舉主任、有關投票站的投票站主任、選票分流站的助理選舉主任及有關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 notice will be used by the Electoral Affairs Commission, Home Affairs Department, the Returning Officer for the relevant rural area, the Presiding Officers for the relevant polling stations, the Assistant Returning Officer of the ballot paper sorting stations and government departments concerned for election-related purposes.

(b) **資料轉介**

就此通知書提供的個人及其他有關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。另外，選舉主任會根據《選舉程序（鄉郊代表選舉）規例》（第 541L 章）第 25 條向有關鄉郊地區的其他候選人送交選舉代理人詳情（包括其姓名及通訊地址）的通知，並在選舉主任辦事處外的顯眼地方，展示關於選舉代理人詳情的公告。

Transfer of Information

The personal data and other related information supplied in connection with this notice may be provided to other authorised departments/organisations/ persons including but not limited to the law courts for election-related purposes. Besides, the Returning Officer will, in accordance with section 25 of the Electoral Procedure (Rural Representation Election) Regulation (Cap. 541 L), send to other candidates for the rural area concerned a notice containing the particulars of election agents (including their names and correspondence addresses) and display, in a prominent place outside the Returning Officer's office, a notice of the particulars of the election agents.

(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 accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **個人資料保障原則**

請注意，候選人在收集第三者的個人資料以填寫有關通知書時，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

Candidate 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 the relevant notice, 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) **查詢**

關於透過此通知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 notice (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
2016 年 10 月
Home Affairs Department
October 2016