

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

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 村/墟鎮
Rural Committee **Village/Market Town**

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

[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" ("Note(s)") before completing this return and declaration in BLOCK LETTERS.]

1. 我 _____，住址為 _____，
將在上述補選中參選。

I, _____ of _____
will stand as a candidate at the above By-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：HAD/C1/By-E)。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.: HAD/C1/By-E) 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.

各項選舉捐贈(見說明第 2 項)
ELECTION DONATIONS (see Note2)

(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)

總數 HK\$ _____ 港元
Total

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)

用於補選中之選舉捐贈總額 HK\$ _____ 港元
Total of election donations used for the By-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) Amount or Value of Election Donation (HK\$) (見說明第 5 項) (see Note 5)
□□/□□/□□□□		
□□/□□/□□□□		
□□/□□/□□□□		
□□/□□/□□□□		
總數 Total		

B 部 : 1,000 元以上之選舉捐贈

請填報每名（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：HAD/C2/By-E）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。

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

Please enter the name and address of each donor who has donated more than \$1,000 in total (in one or more election donations). Each entry must be accompanied with a copy of the “Standard Receipt for Election Donations” (Form no.: HAD/C2/By-E) issued 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 Donor		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			

捐贈者 Donor		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 (如有此情況) (見說明第 4 項)
 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。

Section C : Election donations disposed of (if any) (see Note 4)
 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 receipt 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：.....
Name of Candidate

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內；所有在前述期間內已由我處置之選舉捐贈，亦已按此申報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, my election agent and by any other persons on my behalf or on my account during the period from []/[]/[] to []/[]/[] (both dates inclusive) are accurately accounted for in this return: 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.

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. 在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）及選舉管理委員會發出的《鄉郊代表選舉活動指引》第十二章。
Please read the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and Chapter 12 of the “Guidelines on Election-related Activities in respect of the Rural Representative Election” issued by the Electoral Affairs Commission 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 accounted for under the relevant sections in this return and declaration.
3. 根據《選舉（舞弊及非法行為）條例》（第 554 章）第 2(1)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的選舉開支，而給予該候選人或就該候選人而給予的任何金錢；或
 - (b) 為促使該候選人當選或阻礙另一名候選人或另一些候選人當選，而給予該候選人或就該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，而向該候選人提供或就該候選人而提供的任何服務，但不包括義務服務。According to section 2(1) 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 for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate;
 - (b) any goods given to or in respect of the candidate for the purpose of promoting the election of the candidate 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 for the purpose of promoting the election of the candidate or of prejudicing the election of another candidate or other candidates, but does not include voluntary service.
4.
 - (i) 任何來自沒有表明姓名或名稱及地址的捐贈者，而金額或價值為 1,000 元以上之選舉捐贈；或
 - (ii) 任何沒有用於償付選舉開支或選舉用途之選舉捐贈或其一部分；或
 - (iii) 任何超出候選人可招致的選舉開支訂明的最高限額的選舉捐贈；均須按照《選舉（舞弊及非法行為）條例》（第 554 章）第 19 條處置，轉贈候選人所選擇的屬公共性質的慈善機構或慈善信託，並在選舉申報書及聲明書附上收款人發出的收據副本。否則，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。
 - (i) Any election donation in the amount or value of more than \$1,000 from a donor whose name and address are not identified; or
 - (ii) any election donation or part of it which has not been used to meet election expenses or for election purpose; or
 - (iii) any election donation which is in excess of the maximum prescribed amount of election expenses that the candidate is allowed to incur;must, in accordance with section 19 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), be donated to charitable institutions or trusts of a public character chosen by the candidate. The election return must be accompanied by copy(ies) of the receipt(s) given by the recipient(s) thereof. Otherwise, the 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.
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幣表示。填寫有關部分時，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 either in Chinese or in English. All amounts and values in this return and declaration must be expressed in Hong Kong dollars. When filling in the relevant sections, please fill in the amount or value with an integer or round up/ down to not more than 2 decimal places.
6. 凡免費獲得的服務及貨品（除義務服務外），必須申報為選舉捐贈，並於申報書內相應申報其估計的價值為選舉開支。
Services and goods obtained free of charge (except for voluntary service) must be declared as election donations, and their estimated value must also be correspondingly declared as election expenses in the return.

7. 除非所有顧客一般均可享有有關折扣，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，候選人必須申報為選舉捐贈，並於申報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 and the price paid by the candidate is an election donation and must be declared as such, and correspondingly declared as an election expense in the return.
8. 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 receipt 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.
9. 如任何部分篇幅不敷應用，可採用同樣格式另紙填寫，然後夾附於此申報書及聲明書。
Please attach additional sheets in the same format to this return and declaration if the space provided in any section is insufficient.
10. 此等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(1L)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：HAD/C1/By-E）內。
The election donations/election donations disposed of (if any) so disclosed in advance must also be incorporated in the “Return and Declaration of Election Expenses and Election Donations” (Form no.: HAD/C1/By-E) to be submitted to the Returning Officer by the statutory deadline as required under section 37(1L) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).
11. 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鄉郊代表選舉熱線 2152 1521。
If the candidate has any question in completing this return and declaration, please call the Rural Representative Election Hotline at 2152 1521 during office hours.
12. 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及其他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 Electoral Affairs Commission, the Home Affairs Department, the Returning Officer for the relevant rural area and other 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選舉申報書的文本根據《選舉（舞弊及非法行為）條例》（第554章）第41條可供查閱的期間結束為止。在展示前，申報書及聲明書連同所有附件內所有個人資料（如有此資料）將會被遮蓋。就此申報書及聲明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。

Transfer of Information

A copy of this return and declaration and all attachments will be made available for public inspection until the end of the period for which copies of election returns are available for inspection pursuant to section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). All personal data (if any) in the return and declaration and all attachments will be covered before display. The personal data and other related information supplied in connection with this return and declaration may be provided to other authorised departments/organisations/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 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 and processing.

(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 at 30th Floor, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong.

民政事務總署
2018 年 4 月
Home Affairs Department
April 2018