

選舉開支及接受選舉捐贈之申報書及聲明書
RETURN AND DECLARATION OF ELECTION EXPENSES AND ELECTION DONATIONS

《選舉（舞弊及非法行為）條例》（第 554 章）第 37 條
Section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

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：_____

申報書

FORM OF RETURN

[附註：請用正楷填寫此申報書及聲明書，填寫前請參閱《填寫選舉開支及接受選舉捐贈之申報書及聲明書說明》（“說明”）。]

[Note：Please read the “Notes on Completion of Return and Declaration of Election Expenses and Election Donations” (“Notes”) before completing this return and declaration in BLOCK LETTERS.]

候選人姓名

Name of Candidate _____

一．我是參加此次補選之上述候選人。

1. I am the candidate named above at the above By-election.

二．我現把由我及我的選舉開支代理人代我在上述補選中招致的選舉開支，及由我、我的選舉代理人及其他人士代表或為我在與上述補選相關的情況下接受的所有選舉捐贈，申報如下。

2. I hereby make the following return of election expenses incurred by me and by my election expense agent(s) on my behalf at the above By-election, and all election donations received by me, by my election agent or by any other persons on behalf of me in connection with the above By-election.

各項選舉開支

ELECTION EXPENSES

開支一覽表（詳情列於以下各有關部分）（見說明第 4 項）

Summary of expenses (with details set out under each of the relevant sections below)(see Note 4)

候選人個人開支（A 部）_____HK\$_____港元
Candidate's personal expenses (Section A)

選舉聚會之開支（B 部）_____HK\$_____港元
Expenses for election meetings (Section B)

代理人及選舉助理之開支（C 部）_____HK\$_____港元
Expenses for agents and election assistants (Section C)

選舉廣告之開支（D 部）_____HK\$_____港元
Expenses for election advertisements (Section D)

租金、辦公室及運輸之開支（E 部）_____HK\$_____港元
Rental, office and transportation expenses (Section E)

雜項開支（F 部）_____HK\$_____港元
Expenses for miscellaneous items (Section F)

未支付之索款（G 部）_____HK\$_____港元
Outstanding claims (Section G)

總開支 HK \$_____港元
Total expenses

* 請刪去不適用者。

Please delete whichever is not applicable.

HAD/C1/By-E

A 部： 候選人個人開支（例如：製作候選人的個人相片或個人形象設計等之費用。）

Section A : Candidate's personal expenses (For example, expenses on the production of personal photographs or image design, etc.)

開支性質 Nature of Expenses	金額(港元) Amount(HK\$) (見說明第 4 項) (see Note 4)	發票及收據 Invoice and Receipt
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
總數 Total		

B 部： 選舉聚會之開支（例如：舉辦選舉活動或政治團體舉行誓師大會之開支。）

Section B : Expenses for election meetings (For example, expenses for conducting electioneering functions or launching ceremony of the election campaign by political organizations.)

	活動日期 Date of Activity	活動名稱 Name of the Activity	金額(港元) Amount(HK\$) (見說明第 4 項) (see Note 4)	發票及收據 Invoice and Receipt
1.				
2.				
3.				
4.				
5.				
6.				
		總數 Total		

C 部 : 代理人及選舉助理之開支
 Section C : Expenses for agents and election assistants

代理人類別／獲委任人姓名 Types of Agents/Names of Appointees	金額(港元) Amount(HK\$) (見說明第 4 項) (see Note 4)	發票及收據 Invoice and Receipt
選舉代理人： Election Agent:		
選舉開支代理人： Election Expense Agent(s):		
監察投票代理人： Polling Agent(s):		
監察點票代理人： Counting Agent(s):		
選舉助理及拉票人： Election Assistant(s) and Canvasser(s):		
總數 Total		

D 部 : 選舉廣告之開支(見說明第 8 項)

Section D : Expenses for election advertisements (see Note 8)

應根據於中央平台或候選人平台或交給有關鄉郊地區的選舉主任之「選舉廣告資料摘要」(表格編號: HAD/C10/By-E)及「修正選舉廣告資料摘要通知書」(表格編號: HAD/C11/By-E)(如適用)所列的選舉廣告數量及種類,計算及填寫此部分之開支。不論開支的價值是否極少,候選人均須申報每一項選舉廣告的開支。即使某項選舉廣告的開支為零,候選人亦應申報該項目,以供民政事務總署查核。

The expenses entered in this section should be calculated based on the quantities and types of election advertisements as stated on the Central Platform or Candidate's Platform or in the "Information Sheet in Relation to Election Advertisements" (Form no.: HAD/C10/By-E) and "Notification of Corrected Information in Relation to Election Advertisements"(Form no.: HAD/C11/By-E)(if applicable) submitted to the Returning Officer. The candidate should declare the expenses for each and every item of election advertisement no matter how minimal the value of the expense is. Even if the expense for a particular election advertisement is zero, the candidate should also declare the item for checking by the Home Affairs Department.

1. 海報

Posters

	印刷日期 Date of Printing	尺寸/面積 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本數目 Number of Copies Printed	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
第 1 項小計 Sub-total of 1							

2. 小冊子
Pamphlets

	印刷日期 Date of Printing	尺寸／面積 Size/Dimension	顏色 (單色／多色) Colour (Single/Multi)	印製的文本數目 Number of Copies Printed	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							

第 2 項小計
Sub-total of 2

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3. 傳單 (A3、A4 或 A5 尺寸的紙張亦應算作傳單。)

Handbills (One-page paper with the size of A3, A4 or A5 is also regarded as handbill.)

	印刷日期 Date of Printing	尺寸／面積 Size/Dimension	顏色 (單色／多色) Colour (Single/Multi)	印製的文本數目 Number of Copies Printed	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
第 3 項小計 Sub-total of 3							

4. 其他印刷物品

(請註明有關選舉廣告的類別，例如報紙廣告、圖文傳真、名片、信封、明信片等。)

Other Printed Items

(Please specify types of the election advertisements concerned, e.g. newspaper advertisements, facsimile, name cards, envelopes, postcards, etc.)

	類別 Type	印刷日期 Date of Printing	尺寸/面積 Size/Dimension	顏色 (單色/多色) Colour (Single/Multi)	印製的文本 數目 Number of Copies Printed	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.								
2.								
3.								
4.								
5.								
6.								
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8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
17.								
18.								
第 4 項小計 Sub-total of 4								

5. 橫額
Banners

	製作日期 Date of Production	尺寸／面積 Size/Dimension	製作數量 Quantity Produced	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.						
2.						
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11.						
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13.						
14.						
15.						
16.						
17.						
18.						

第 5 項小計
Sub-total of 5

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6. 小旗
Pennants

	製作日期 Date of Production	尺寸／面積 Size/Dimension	顏色 (單色／多色) Colour (Single/Multi)	製作數量 Quantity Produced	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
第 6 項小計 Sub-total of 6							

7. 標語牌
Placards

	製作日期 Date of Production	尺寸／面積 Size/Dimension	製作數量 Quantity Produced	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.						
2.						
3.						
4.						
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6.						
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12.						
13.						
14.						
15.						
16.						
17.						
18.						
第 7 項小計 Sub-total of 7						

8. 其他 (請註明類別)
Others (Please specify the type)

未能分類為以上任何一項的選舉廣告應在此欄中填寫。例如光碟、影片/視頻、電子訊息(包括電子郵件)、資訊系統網絡、電子展示版、電腦網頁、互聯網廣告等。

The election advertisements which cannot be classified into any one of the above items should be stated in this part. Examples are compact discs, films/video, electronic messages (including electronic mail), information system network, electronic display boards, web page, internet advertisements, etc.

	類別 Type	製作日期 Date of Production	製作數量 Quantity Produced	單價(港元) (見說明第 4 項) Unit Price(HK\$) (see Note 4)	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
1.						
2.						
3.						
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10.						
11.						
12.						
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14.						
15.						
16.						
17.						
18.						

第 8 項小計
Sub-total of 8

第 1 項至第 8 項小計總和
The Sum of Sub-totals 1 to 8

E 部 : 租金、辦公室及運輸之開支
 Section E : Rental, office and transportation expenses

1. 租金及辦公室開支 (開支計算至選舉日期止)
 Rental and office expenses (expenses calculated up to the date of Election)

服務/貨品之性質及詳情 Nature and Particulars of Services/Goods			金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
租金: 地址 Rentals: Address	單位收費#(港元) (見說明第 4 項) Unit Charge# (HK\$) (see Note 4)	租用日期及期間 (至選舉日期止)# Rental Period & Duration (up to the date of Election)# 共 日 Total days		
文具: 類別 Stationery: Type	單價(港元)(見說明第 4 項) Unit Price (HK\$) (see Note 4)	數量 Quantity		
郵費: 性質 Postage: Nature	單價(港元)(見說明第 4 項) Unit Price (HK\$) (see Note 4)	數量 Quantity		
其他 (請註明): Others (Please specify):				
# 單位收費應包括租金、電費、冷氣費及其他有關費用(計算至選舉日期止)。 Unit charge should include rent, electricity charges, air conditioning charges and other related expenses (calculated up to the date of Election) .			第 1 項小計 Sub-total of 1	

2. 運輸開支
 Transportation expenses

		單位收費(港元) (見說明第 4 項) Unit Charge (HK\$) (see Note 4)	數目/數量/期間 Number/Quantity/Duration	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
租賃車輛 Hiring of Vehicles					
汽油 Petrol					
司機 Driver					
交通費: 類別 Travelling Expense: Type					
其他 (請註明): Others (Please specify):					
				第 2 項小計 Sub-total of 2	
				第 1 項至第 2 項小計總和 The Sum of Sub-totals 1 to 2	

F 部 : 雜項開支

Section F : Expenses for miscellaneous items

詳情 Particulars	金額(港元) (見說明第 4 項) Amount(HK\$) (see Note 4)	發票及收據 Invoice and Receipt
供應予選舉助理之飲品及食物 Beverages and food for election assistants 日期 人數 場合 Date No. of Persons Occasion		
其他(請註明) Others (Please specify)		
總數 Total		

聲 明 書
FORM OF DECLARATION

候選人姓名

Name of Candidate

本人謹以至誠鄭重聲明如下—

I hereby solemnly and sincerely declare as follows —

1. 本人是參與是次補選之上述候選人。

I am the candidate named at the above By-election.

2. 上述經由有關鄉郊地區的選舉主任，呈交民政事務總署署長之「選舉開支及接受選舉捐贈之申報書」及附件，經由本人審閱。據本人所知及所信，申報書已按法例之規定，準確詳列關於進行及管理上述補選之一

(甲) 所有由本人招致及本人的選舉開支代理人代本人招致之選舉開支；以及

(乙) 所有由本人、本人的選舉代理人以及任何其他人士代表或為本人所接受之選舉捐贈。

I have examined the above return of election expenses and election donations and the attachments to be submitted to the Director of Home Affairs via the Returning Officer for the relevant rural area, and to the best of my knowledge and belief, it is an accurate account of —

(a) all election expenses incurred by me and by my election expense agent(s) on my behalf; and

(b) all election donations received by me, by my election agent and by any other persons on my behalf or on my account, in respect of the conduct and management of the above By-election as required by law.

3. 據本人所知及所信—

(甲) 除此申報書所列出的選舉開支外，本人並無招致其他選舉開支，而本人的選舉開支代理人並無代本人招致其他選舉開支；以及

(乙) 除此申報書所列出的選舉捐贈外，本人並無接受其他選舉捐贈，而本人的選舉代理人及任何其他人士並無代表或為本人接受其他選舉捐贈。

所有已處置之選舉捐贈亦已按申報書所列出的方式處置。

To the best of my knowledge and belief—

(a) no election expenses other than those set out in the return were incurred by me and by my election expense agent(s) on my behalf; and

(b) no election donations other than those set out in the return were received by me, by my election agent and by any other persons on my behalf or on my account; and

all election donations disposed of have been disposed of in a manner 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.

HAD/C1/By-E

填寫選舉開支及接受選舉捐贈之申報書及聲明書說明

Notes on Completion of Return and Declaration of Election Expenses and Election Donations

以下說明只供參考。有關選舉開支及選舉捐贈的法例，請參閱《選舉(舞弊及非法行為)條例》(第 554 章)及《選舉程序(鄉郊代表選舉)規例》(第 541L 章)。

The Notes below are for reference only. For legislation concerning election expenses and election donations, please refer to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541L).

1. 填寫此申報書及聲明書前，請閱讀選舉管理委員會發出的《鄉郊代表選舉活動指引》第十五章，以及參考載於候選人資料冊的「選舉開支及接受選舉捐贈之申報書及聲明書指南」(表格編號：HAD/C1a/By-E)。

Before completing this return and declaration, please read Chapter 15 of the “Guidelines on Election-related Activities in respect of the Rural Representative Election” issued by the Electoral Affairs Commission, and make reference to the “Guide to Return and Declaration of Election Expenses and Election Donations” (Form no. HAD/C1a/By-E) contained in the Candidate Folder.

2. 根據《選舉(舞弊及非法行為)條例》(第 554 章)第 37(1) 條的規定，此申報書及聲明書中必須列出候選人在選舉中的選舉開支及由候選人或他／她的代表收取的所有選舉捐贈。

According to section 37(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), this return and declaration must set out the candidate’s election expenses at the Election and all election donations received by or on behalf of the candidate.

3. 請用中文或英文填寫此申報書及聲明書。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 complete this return and declaration either in Chinese or in English. Please attach additional sheets in the same format to this return and declaration if the space provided in any section is insufficient.

4. 此申報書及聲明書內的金額及價值須以港元表示。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。

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.

5. 就每項\$100 或以上的選舉開支而言，候選人須提交載有該項支出詳情的發票及收據。選舉開支的發票及收據可分為不同文件提交，亦可包含於同一份文件內。候選人提交的發票及收據必須載有以下資料，包括：

- (a) 日期；
- (b) 開支項目的詳情(即貨品或服務的資料和金額)；
- (c) 提供貨品或服務的機構或人士(非候選人本人)的資料；及
- (d) 證明提供貨品或服務的機構或人士(非候選人本人)已全數收取有關款額的資料(例如收款人士的姓名及簽署，或收款機構的蓋章及代表簽署)。

In the case of each election expense of \$100 or more, candidate should submit an invoice and a receipt giving particulars of the expenditure. The invoice and receipt for an election expense may be submitted in separate documents, also may be contained in the same document. The candidate should submit invoices and receipts with the following particulars, including:

- (a) date;
- (b) details of the expense item (i.e. information and amount of the goods or services);
- (c) information of the organisation or person (other than the candidate himself/herself) providing the goods or services; and
- (d) information supporting that the organisation or person (other than the candidate himself/herself) providing the goods or services has received the relevant payment in full (e.g. name and signature of the recipient, or the stamp of the organisation or signature of its authorised person).

6. 發票及收據上應順序註明編號，而編配予每一發票及收據的編號應填寫在“發票及收據”／“收據副本”一欄內的相應位置，以資對照。

All invoices and receipts should be marked in numerical sequence and, for cross-referencing purpose, the number assigned to each invoice and receipt should be correspondingly entered in the “Invoice and Receipt”/“Copy of Receipt” column.

7. 如發票及收據以副本形式提交，候選人須在每張發票及收據的副本上簽署，以核證其為真確無誤的副本(見載於附錄的核證發票及收據副本的樣本)。

If copies of invoice and receipt are submitted, candidate is required to sign on each copy of invoice and receipt to certify it as a true and correct copy (see the sample for certifying copy of invoice and receipt at Appendix).

8. 候選人應根據於中央平台或候選人平台或交給有關鄉郊地區的選舉主任之「選舉廣告資料摘要」(表格編號：HAD/C10/By-E)及「修正選舉廣告資料摘要通知書」(表格編號：HAD/C11/By-E)(如適用)所列的選舉廣告數量及種類填寫此申報書。候選人須計算及申報每一項選舉廣告的開支。選舉廣告單價應包括設計及畫稿之費用。如透過互聯網發布選舉廣告(例如電子郵件)，與該選舉廣告相關的費用，例如設計及發布服務費用及按比例適當分攤的相關互聯網服務費等，應被計算為選舉開支。

Candidate should complete this return based on the quantities and types of election advertisements as stated on the Central Platform or Candidate's Platform or in the "Information Sheet in Relation to Election Advertisements" (Form no.: HAD/C10/By-E) and "Notification of Corrected Information in Relation to Election Advertisements" (Form no.: HAD/C11/By-E) (if applicable) submitted to the Returning Officer for the relevant rural area. Candidate should calculate and declare the expenses for each and every item of election advertisement. Unit price for election advertisements should include design and artwork fees. If election advertisements are published through the Internet (e.g. electronic mail), fees that are related to the election advertisements, such as design and publication fees and service charges for Internet access appropriately apportioned, should be counted as election expenses.

9. 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.

10. 凡免費獲得的服務或貨品(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 or 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.

11. 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 of goods or services 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.

12. 如某項選舉捐贈的金額或價值為\$1,000 以上(包括某些來自同一捐贈者而總價值為\$1,000 以上的選舉捐贈)，候選人須發給捐贈者載有該捐贈者的姓名或名稱及地址及該項捐贈的詳情的收據，並將收據副本與申報書一併提交。

If the amount or value of an election donation is more than \$1,000 (including election donations from the same donor and total value is more than \$1,000), candidate should issue a receipt to the donor specifying the name and address of the donor and giving particulars of the donation, and submit the return together with a copy of the receipt.

13. (a) 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 以上之選舉捐贈；或
(b) 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
(c) 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，在呈交申報書及聲明書之前轉贈候選人所選擇的屬公共性質的慈善機構或慈善信託，並在申報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。

- (a) Any election donation in the amount or value of more than \$1,000 from a donor whose name and address are not identified; or
(b) any election donation or part of it which has not been used to meet election expenses or for election purpose; or
(c) 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 before the return and declaration is lodged. The 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.

14. 候選人必須在《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，將填妥的申報書及聲明書提交有關鄉郊地區的選舉主任，以轉交民政事務總署署長。

Candidate must submit the completed return and declaration to the Director of Home Affairs via the Returning Officer for the relevant rural area by the statutory deadline as required under section 37(1L) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

15. 申報書及聲明書以及所有附件的副本將備存於有關選舉主任的辦公室，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結束為止，供公眾查閱或提供予索閱有關文件的人士。

Copies of the return and declaration and all attachments will be made available at the office of the relevant Returning Officer for public inspection or may be furnished to any person upon request from the time when the return and declaration is lodged with the relevant Returning Officer until the end of the period for which copies of election return and declaration are available for inspection under section 41 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

16. 民政事務總署將查核所有候選人提交的申報書及聲明書。倘若發現任何不當情況，將會向有關當局報告，以進行調查。候選人在申報書及聲明書上填報的資料亦可能供給有關當局進行調查。

The Home Affairs Department will check all returns and declarations submitted by the candidates. Any irregularities detected will be reported to the relevant authorities for investigation. The information provided by the candidates in their returns and declarations may also be provided to the relevant authorities for investigation.

17. 《選舉（舞弊及非法行為）條例》（第 554 章）與選舉申報書相關的部分載列如下，以供參考—

Part of the provisions of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) concerning election return are reproduced below for reference –

《選舉（舞弊及非法行為）條例》（第 554 章）第 2 條

“選舉開支” (election expenses)就某項選舉的候選人或候選人組合而言，指在選舉期間前、在選舉期間內或在選舉期間後，由該候選人或該候選人組合或由他人代該候選人或該候選人組合—

- (a) 為促使該候選人或該候選人組合當選；或
- (b) 為阻礙另一候選人或另一候選人組合當選，

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。

“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。

“義務服務” (voluntary service) 指任何自然人為以下目的在其私人時間自願親自免費向某項選舉的一名或多於一名候選人提供或就某項選舉的一名或多於一名候選人而提供的任何服務—

- (a) 促使該候選人或該等候選人當選；或
- (b) 阻礙另一名候選人或另一些候選人當選。

Section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

“Election expenses” (選舉開支), in relation to a candidate or group of candidates at an election, means expenses incurred or to be incurred, before, during or after the election period, by or on behalf of the candidate or group for the purpose of -

- (a) promoting the election of the candidate or group; or
- (b) prejudicing the election of another candidate or group,

and includes the value of election donations consisting of goods and services used for that purpose.

“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.

“Voluntary service” (義務服務) means any service provided free of charge to or in respect of a candidate or candidates at an election by a natural person, voluntarily and personally, in the person’s own time for the purpose of -

- (a) promoting the election of the candidate or candidates ; or
- (b) prejudicing the election of another candidate or other candidates.

《選舉（舞弊及非法行為）條例》（第 554 章）第 20 條

如任何候選人在根據第37條提交的選舉申報書內，或在根據第37A條提交的選舉申報書的副本內，作出該候選人明知或理應知道屬虛假或具誤導性達關鍵程度的陳述，即屬在選舉中作出舞弊行為，該陳述屬一項根據第37A條達成的更正的標的亦然。

Section 20 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

A candidate engages in corrupt conduct at an election if the candidate, in an election return lodged under section 37 or a copy of an election return lodged under section 37A, makes a statement that the candidate knows or ought to know is materially false or misleading whether or not the statement is the subject of a correction effected under section 37A.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 37(1)條

在選舉中的每名候選人必須向有關主管當局提交選舉申報書，列出一

- (a) 該候選人在該項選舉中的選舉開支；及
- (b) 曾由該候選人或由他人代該候選人在與該項選舉有關連的情況下收取的所有選舉捐贈。

Section 37(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

Each candidate at an election must lodge with the appropriate authority an election return setting out -

- (a) the candidate's election expenses at the election; and
- (b) all election donations received by or on behalf of the candidate in connection with the election.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 37(1L)條

就為某鄉郊地區而舉行的鄉郊代表選舉而言，候選人須確保申報書在以下情況出現當日後30日期間屆滿前提交—

- (a) 如按《鄉郊代表選舉條例》(第576章)第20(3)(b)條或《選舉程序(鄉郊代表選舉)規例》(第541章，附屬法例L)第6條所指的公告，該選舉是某些同日舉行的鄉郊代表選舉的其中之一，而該等鄉郊代表選舉關乎同一鄉事委員會—該等鄉郊代表選舉均已告結束(如該等鄉郊代表選舉在不同日期結束，則以該等日期中的最後者為準)；或
- (b) 如屬其他情況—該選舉已告結束。

Section 37(1L) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

For a Rural Representative election for a Rural Area, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after-

- (a) if, according to a notice under section 20(3)(b) of the Rural Representative Election Ordinance (Cap 576) or section 6 of the Electoral Procedure (Rural Representative Election) Regulation (Cap 541 sub. leg. L), the election is one of the Rural Representative elections in relation to the same Rural Committee that are to be held on the same date—the date on which the Rural Representative elections become settled or, if the Rural Representative elections become settled on different dates, the last of those dates; or
- (b) in any other case—the date on which the election becomes settled.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 37(1M)條

為施行第(1L)款，選舉在任何以下事件就該選舉發生當日，即告結束—

- (a) 選舉結果於憲報公布；
- (b) 宣布選舉程序終止；
- (c) 宣布選舉未能完成，

如多於一項上述事件就該選舉發生，則該選舉在最後發生的事件發生當日，即告結束。

Section 37(1M) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

For the purposes of subsection (1L), an election is settled on the date on which any of the following events occurs in relation to the election, or, if more than one of the following events occurs in relation to the election, on the date on which the last of those events occurs-

- (a) the result of the election is notified in the Gazette;
- (b) the proceedings for the election are declared to have been terminated;
- (c) the election is declared to have failed.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 37(2)(b)條

候選人必須確保申報書附有一

- (i) (就每項\$100 或以上的選舉開支而言)載有該項支出的詳情的發票及收據；及
- (ii) (就每項\$1000 以上或每項包含貨品或服務而價值\$1000 以上的選舉捐贈而言)發給捐贈者的載有關於該捐贈者及該項捐贈的詳情的收據的副本；及
- (iii) (如由候選人或由他人代候選人在與選舉有關連的情況下收取的某項選舉捐贈或某項選舉捐贈的一部分沒有用於該用途而已按照第 19 條處置)收取該等如此處置的捐贈或部分捐贈的人所發出的收據的副本；及
- (iv) (如由候選人或由他人代候選人在與選舉有關連的情況下收取的某項選舉捐贈或某項選舉捐贈的一部分沒有用於該用途，亦沒有按照第 19(3)條處置)書面解釋，列出沒有按照該條處置該項捐贈或該部分捐贈的理由；及
- (v) 採用有關主管當局提供或指明的表格或格式所作的聲明書，證明申報書內容屬實。

Section 37(2)(b) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

The candidate must ensure that the return is accompanied -

- (i) in the case of each election expense of \$100 or more, by an invoice and a receipt giving particulars of the expenditure; and
- (ii) in the case of each election donation of more than \$1000 or, in the case of an election donation consisting of goods or a service, of more than \$1000 in value, by a copy of the receipt issued to the donor giving particulars of the donor and the donation; and
- (iii) where an election donation or part of an election donation that was received by or on behalf of the candidate in connection with the election was not used for that purpose was disposed of in accordance with section 19, by a copy of the receipt given by the recipient of the donation or part; and
- (iv) where an election donation or part of an election donation that was received by or on behalf of the candidate in connection with the election was not used for that purpose was not disposed of in accordance with section 19(3), by an explanation setting out the reason why it was not disposed of in accordance with that section; and
- (v) by a declaration in a form provided or specified by the appropriate authority verifying the contents of the return.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 40 條

- (1) 候選人如不能夠或沒有在准許的限期屆滿之前按照第 37 條的規定提交選舉申報書，可向原訟法庭申請作出命令，容許該候選人在原訟法庭指明的較長限期內，向有關主管當局提交選舉申報書。
- (2) 原訟法庭在聆訊根據第(1)款提出的申請後，必須信納不能夠或沒有按照第 37 條的規定提交選舉申報書一事是可歸因於下述情況而非因申請人不真誠所致，方可作出所尋求的命令—
 - (a) 申請人患病或不在香港；或
 - (b) 申請人的代理人或僱員去世、患病、不在香港或行為不當；或
 - (c) 申請人或其他人粗心大意或意外地計算錯誤；或
 - (d) 任何合理理由。
- (3) 候選人亦可向原訟法庭申請作出命令，使該候選人可更正在選舉申報書或附於該申報書的任何文件內的錯誤或虛假陳述。
- (4) 原訟法庭在聆訊根據第(3)款提出的申請後，必須信納該等錯誤或虛假陳述是因下述情況而非因申請人不真誠所致，方可作出所尋求的命令—
 - (a) 申請人的代理人或僱員的行為不當；或
 - (b) 申請人或其他人粗心大意或意外地計算錯誤；或
 - (c) 任何合理理由。

Section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

- (1) A candidate who is unable or has failed to lodge an election return as required by section 37 before the end of the permitted period can apply to the Court for an order allowing the candidate to lodge with the appropriate authority an election return within such further period as the Court specifies.
- (2) On the hearing of an application made under subsection (1), the Court may make the order sought, but only if it is satisfied that the inability or failure to lodge an election return as required by section 37 was attributable to—
 - (a) the applicant's illness or absence from Hong Kong; or
 - (b) the death, illness, absence from Hong Kong or misconduct of an agent or employee of the applicant; or
 - (c) inadvertence or an accidental miscalculation by the applicant or any other person; or
 - (d) any reasonable cause,and was not due to the applicant's bad faith.
- (3) A candidate can also apply to the Court for an order enabling the candidate to correct any error or false statement in an election return or in any document accompanying the return.
- (4) On the hearing of an application made under subsection (3), the Court may make the order sought, but only if it is satisfied that the error or false statement was due to—
 - (a) misconduct of an agent or employee of the applicant; or
 - (b) inadvertence or an accidental miscalculation by the applicant or any other person; or
 - (c) any reasonable cause,and was not due to the applicant's bad faith.

《選舉(舞弊及非法行為)條例》(第 554 章) 第 38(1)條

候選人如沒有按照第 37 條的規定提交選舉申報書，即屬犯罪—

- (a) 如循簡易程序審訊，一經定罪，可處第 5 級罰款及監禁 1 年；或
- (b) 如循公訴程序審訊，一經定罪，可處罰款 \$200000 及監禁 3 年。

Section 38(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

A candidate who fails to lodge an election return as required by section 37 commits an offence and is-

- (a) if tried summarily, liable on conviction to a fine at level 5 and to imprisonment for 1 year; or
- (b) if tried on indictment, liable on conviction to a fine of \$200000 and to imprisonment for 3 years.

18. 候選人在填寫此表格時如有任何問題，請在辦公時間內致電鄉郊代表選舉熱線 2152 1521。
If the candidate has any questions in completing this return and declaration, please call the Rural Representative Election Hotline at 2152 1521 during office hours.
19. 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，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，捐贈者的地址除外）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 of election expenses and election donations and all attachments 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 (if any, except the address of the donor) 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 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**

關於透過本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
2019 年 4 月
Home Affairs Department
April 2019

核證供應者發出的發票及收據副本樣本

Sample on certifying a copy of invoice and receipt issued by the supplier

<p>核證無誤及為真確副本 Certified correct and true copy</p> <p>[候選人簽署] [Signature of candidate]</p> <hr/> <p>[候選人姓名] [Name of candidate]</p> <p>[日期] [Date]</p>

備註：

Remarks:

候選人必須在發票及收據的副本上簽署，不應在載有上述資料的標貼上簽署。簽署須在載有支出詳情的同一頁面。

The candidate must sign on the copy of the invoice and receipt, and should not sign on a label containing the above-mentioned information. The signature must be on the same page where the particulars of the expenditure are set out.