

鄉郊代表選舉 (原居民代表) - 問題選票樣本

Rural Representative Election (Indigenous Inhabitant Representative) - Samples of Questionable Ballot Papers

《選舉程序(鄉郊代表選舉)規例》
ELECTORAL PROCEDURE (RURAL REPRESENTATIVE ELECTION) REGULATION

選票
BALLOT PAPER

鄉郊地區
原居民村界區民代表選舉
XX 村
RURAL BY-ELECTION
ELECTION OF INDIGENOUS INHABITANT REPRESENTATIVE
FOR INDIGENOUS VILLAGE
XX VILLAGE
20XX 年 XX 月 XX 日
XX XX 20XX

最多只可選兩名
VOTE FOR UP TO TWO ONLY

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1 常開心
SHEUNG HOI SUM

2 易滿足
YEE MOON CHUK

3 陳大文
CHAN TAI MAN

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1. 可被裁定有效 - 根據《選舉程序(鄉郊代表選舉)規例》第63(2)及(3)條，如點票站的主管認為有關選民的意向清楚，及在任何情況下不可能藉圖圈內多於一個的印章而識別選民身分，他/她可裁定該選票有效。

May be determined as valid - If the Officer-in-charge of a counting station considers that the relevant elector's intention is clear and that the multiple chops inside the circle cannot possibly identify the elector in all the circumstances, in accordance with section 63(2) and (3) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as valid.

2. 可被裁定有效 - 根據《選舉程序(鄉郊代表選舉)規例》第63(2)及(3)條，如點票站的主管認為有關選民的意向清楚，及在任何情況下不可能藉圖圈內的額外印章而識別選民身分，他/她可裁定該選票有效。

May be determined as valid - If the Officer-in-charge of a counting station considers that the relevant elector's intention is clear and that the additional chops outside the circle cannot possibly identify the elector in all the circumstances, in accordance with section 63(2) and (3) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as valid.

3. 可被裁定有效 - 根據《選舉程序(鄉郊代表選舉)規例》第63(2)及(3)條，即使選民沒有將印章蓋於選票上的圖圈內，如點票站的主管認為有關選民的意向清楚，他/她可裁定該選票有效。

May be determined as valid - Even though the chop is not affixed in the circle on the ballot paper, the Officer-in-charge of a counting station may determine the ballot paper as valid if he/she identifies that the relevant elector's intention is clear in accordance with section 63(2) and (3) of the Electoral Procedure (Rural Representative Election) Regulation.

4. 可被裁定有效 - 根據《選舉程序(鄉郊代表選舉)規例》第63(2)及(3)條，如點票站的主管認為有關選民的意向清楚，及在任何情況下不可能藉圖圈外的額外印章而識別選民身分，他/她可裁定該選票有效。

May be determined as valid - If the Officer-in-charge of a counting station considers that the relevant elector's intention is clear and that the additional chop outside the circle cannot possibly identify the elector in all the circumstances, in accordance with section 63(2) and (3) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as valid.

5. 可被裁定有效 - 即使圖圈內的印章不完整，如點票站的主管倘於印章是由投票站提供的印章蓋上，他/她可裁定該選票有效。

May be determined as valid - Even though the chop in the circle is incompletely affixed, the Officer-in-charge of a counting station may determine the ballot paper as valid if he/she is satisfied that the chop mark has been made by the chop provided at the polling station.

6. 可被裁定有效 - 即使圖圈內的印章非常淺色，如點票站的主管倘於印章是由投票站提供的印章蓋上，他/她可裁定該選票有效。

May be determined as valid - Even though the chop in the circle is very lightly affixed, the Officer-in-charge of a counting station may determine the ballot paper as valid if he/she is satisfied that the chop mark has been made by the chop provided at the polling station.

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7. 可被裁定有效 - 如點票站的主管信納選票並不是相當殘破，及有關殘破不會令選民的身分可能被識別出，他/她可裁定該選票有效。

May be determined as valid - If the Officer-in-charge of a counting station is satisfied that the ballot paper is not substantially mutilated, and the relevant mutilation does not render the elector possibly identifiable, he/she may determine the ballot paper as valid.

8. 可被裁定有效 - 根據《選舉程序(鄉郊代表選舉)規例》第62(2)及(3)條，如點票站的主管認為有關選民的意向清楚，及在任何情況下不可能藉選票上非手寫的記號而識別選民身分，他/她可裁定該選票有效。

May be determined as valid - If the Officer-in-charge of a counting station considers that the relevant elector's intention is clear and that the non-handwritten mark on the ballot paper cannot possibly identify the elector in all circumstances, in accordance with section 62(2) and (3) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as valid.

9. 可被裁定無效 - 根據法庭就一宗選舉呈請個案所作出的裁決(高院憲法及行政訴訟2003年第127號)，在選票上的手寫刻號是有可能藉此識別選民身分的記號。因此，按照《選舉程序(鄉郊代表選舉)規例》第62(a)條，如選票上有手寫記號，無論是屬清晰可辨的文字或沒有意思的符號，點票站的主管可裁定該選票無效。

May be determined as invalid - Based on the judgment made by the Court on an election petition case (HCAL 127/2003), the handwritten tick on the ballot paper was considered a mark by which the elector could possibly be identified. Therefore, the Officer-in-charge of a counting station may determine the ballot paper with handwritten marks, irrespective of whether they are legible characters or marks carrying no meaning, as invalid in accordance with section 62(a) of the Electoral Procedure (Rural Representative Election) Regulation.

10. 可被裁定無效 - 根據《選舉程序(鄉郊代表選舉)規例》第62(d)條，如點票站的主管認為選票無明確選擇，他/她可裁定該選票無效。

May be determined as invalid - If the Officer-in-charge of a counting station considers that the ballot paper is void for uncertainty in accordance with section 62(d) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as invalid.

11. 可被裁定無效 - 根據《選舉程序(鄉郊代表選舉)規例》第62(c)條，相當殘破的選票不得視為有效。

May be determined as invalid - A substantially mutilated ballot paper shall not be regarded as valid in accordance with section 62(c) of the Electoral Procedure (Rural Representative Election) Regulation.

12. 可被裁定無效 - 根據《選舉程序(鄉郊代表選舉)規例》第62(d)條，如點票站的主管認為選票無明確選擇，他/她可裁定該選票無效。

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請用投票站提供的印章，在所選候選人(不可超過三名)姓名字的範圍內蓋上「✓」號。
Please use the chop provided at the polling station to stamp a ✓ in the circle opposite the names of not more than three candidates of your choice.

1 常開心
SHEUNG HOI SUM

2 易滿足
YEE MOON CHUK

3 陳大文
CHAN TAI MAN

4 常勝
SHEUNG SHING

5 齊投票
CHAI TOU PU

13. 可被裁定無效 - 根據《選舉程序(鄉郊代表選舉)規例》第62(d)條，如點票站的主管認為選票無明確選擇，他/她可裁定該選票無效。

May be determined as invalid - If the Officer-in-charge of a counting station considers that the ballot paper is void for uncertainty in accordance with section 62(d) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper as invalid.

14. 可被裁定無效 - 圖圈內的墨跡非常模糊不清，以致不可能辨識選民是否用投票站提供的印章來填劃。根據《選舉程序(鄉郊代表選舉)規例》第62(ab)條，如點票站的主管認為選票沒有用根據規例第45條發給的印章來填劃，他/她可裁定該選票無效。

May be determined as invalid - The ink mark in the circle is so blurred that it is not possible to recognize whether the ballot paper is marked by the chop provided at the polling station. If the Officer-in-charge of a counting station considers that, under section 62(ab) of the Electoral Procedure (Rural Representative Election) Regulation, the ballot paper is not marked with a chop issued under section 45 of the Regulation, he/she may determine the ballot paper as invalid.

15. 可被裁定無效 - (選民在此選票最多可投選3名候選人)

根據《選舉程序(鄉郊代表選舉)規例》第62(d)條，如點票站的主管因「✓」號出現於候選人編號3及4之間而認為選票其中一個的選擇不明確而無效，他/她可裁定該選票全部無效。

May be determined as invalid - (For this ballot paper, electors can vote up to 3 candidates only) If the Officer-in-charge of a counting station considers that owing to the '✓' appearing between candidate numbers 3 and 4 and one of the choices of the ballot paper is void for uncertainty in accordance with section 62(d) of the Electoral Procedure (Rural Representative Election) Regulation, he/she may determine the ballot paper to be wholly invalid.