

招致選舉開支的人的授權通知書

NOTICE OF AUTHORIZATION OF PERSON TO INCUR ELECTION EXPENSES

《選舉（舞弊及非法行為）條例》（第 554 章）第 23 及 24 條及

《選舉管理委員會（選舉程序）（區議會）規例》（第 541 章，附屬法例 F）第 28 條

Sections 23 and 24 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and

Section 28 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F)

〔備註：在填寫此通知書前，請參閱夾附的《授權招致選舉開支的說明》。〕

[Note: Before completing this notice, please read the attached "Notes on Authorization of Person to Incur Election Expenses".]

2009 年沙田區議會補選

2009 SHA TIN DISTRICT COUNCIL BY-ELECTION

大圍選區

Tai Wai Constituency

補選日期：2009 年 3 月 29 日

Date of By-Election: 29 March 2009

第一部分 授權（由候選人填寫）

PART I AUTHORIZATION (To be completed by candidate)

1. 本人是上述補選的候選人，現授權下述人士為本人的選舉開支代理人，以代表本人在上述補選中或與上述補選有關的情況下招致選舉開支—

I, the candidate for the above-named by-election, hereby authorize the following person to act as my election expense agent to incur election expenses on my behalf at or in connection with the above by-election –

中文姓名（正楷）：_____

Name in Chinese

英文姓名（正楷）：_____

Name in English (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

身分證明文件號碼：_____

Identity Document Number

聯絡電話：_____

Contact Telephone Number

住址：_____

Residential

Address

2. 本人現授權上述人士代表本人招致選舉開支，最高限額為港幣_____元。該指定限額包括各項應計算入選舉開支的以實物抵付形式作出的捐贈（以公允而合理價值作估值）。（請參閱說明第 7 項）

I hereby authorize the above-named person to incur on my behalf election expenses up to a maximum amount of HK\$_____. This specified amount includes all expenses covered by donations in kind (assessed at a fair and reasonable value) which must be accounted for (see Note 7).

- *3. 本授權取代在 _____（日期）給予上述人士的授權，該原有授權的最高限額為港幣 _____元。

This authorization supersedes the previous authorization dated _____ (date) to the above-named person in respect of a maximum amount of HK\$_____.

4. 本人清楚明白，本人要為本人之選舉開支全部款項負責。倘本人及／或本人之代表招致的選舉開支總額超逾規定上限，除非本人能證明任何超額開支是在並非因本人疏忽，以及在未經本人的同意或授權的情況下所招致的，否則本人要負抵觸法例之責。

I understand that I shall be responsible for the overall amount of my election expenses. If the total amount incurred by me and/or on my behalf is above the prescribed limit, I shall be liable to contravening the law, unless I can prove that the excess was incurred without negligence on my part and either without my consent or authorization.

5. 本人可隨時將由本人簽署的書面通知送交有關的選舉主任，以撤銷此授權。但在撤銷此授權之前而招致的選舉開支須在計算選舉開支總額時包括在內。

This authorization may be revoked by me at any time by delivering to the relevant Returning Officer a notice in writing and signed by me to that effect. However, the election expenses incurred under or pursuant to this authorization before such revocation shall be counted towards the total amount of election expenses.

候選人簽署： _____
Signature of Candidate

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： _____
Date

第二部分 接受授權（由接受授權招致選舉開支的人填寫）

Part II ACCEPTANCE (To be completed by the person authorized to incur election expenses)

6. 本人的個人資料已列於上述第 1 段，本人現接受本表格第一部分所述候選人給予本人之授權。
I, whose particulars are set out in paragraph 1 above, hereby accept the authorization given to me by the candidate named in Part I of this form.

- *7. （如沒有填寫上述第 3 段以取代原有之授權，請刪去本段。）
(Please cross out this paragraph if paragraph 3 above has not been completed to supersede the previous authorization.)

本人確認本人代表候選人已招致的選舉開支並未超逾上述第 2 段或第 3 段指定的限額。

I hereby confirm that I have not incurred election expenses on behalf of the candidate in excess of the amount specified in paragraph 2 above or that specified in paragraph 3 above.

8. 本人清楚明白本人代表候選人所招致的選舉開支不可超逾上述第 2 段指定的限額，否則，本人將要負抵觸法例之責。

I understand that I shall not incur any election expenses on behalf of the candidate in excess of the amount as specified in paragraph 2 above. If I do, I shall be liable to contravening the law.

9. 本人須就代表候選人招致的選舉開支記存帳目，並須在選舉後，在切實可行的情況下，盡快向候選人呈交—

I shall keep accounts of all election expenses incurred by me on behalf of the candidate and shall as soon as practicable after the election submit to the candidate —

- (a) 詳細的開支申報表，並就每項 100 元或以上的開支附上發票及收據；
a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of or exceeding \$100;
- (b) 如任何一項開支是由捐贈所支付、付出或捐助，一份載有估計該開支的合理價值的申報；
if any item of expenditure is paid or defrayed or contributed to by a donation, a statement stating the expense assessed at a reasonable value;

- (c) 就(b)段每項 1,000 元以上的開支，附上由捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號為 REO/C/2/2009DC(By-E)(SDF)）；及
a receipt of donation (i.e. “Standard Receipt for Election Donations”, the form no. of which is REO/C/2/2009DC(By-E)(SDF) signed by the donor for each item of expenditure in (b) of exceeding \$1,000; and
- (d) 就(b)段每項 1,000 元或以下的開支，附上捐贈收據或由本人簽署的紀錄，載有獲提供服務或貨物日期，供應者的姓名或名稱及詳細地址，有關服務或貨物的詳細資料，及其估計價值。
a receipt of donation or a record signed by me giving the date when services or goods are furnished, the name and full address of the supplier concerned, the full details of the services or goods and the estimated value for each item of expenditure in (b) of \$1,000 or less.

接受授權招致選舉開支的人簽署：_____

Signature of the Person Authorized to Incur Election Expenses

中文姓名（正楷）：_____

Name in Chinese

英文姓名（正楷）：_____

Name in English (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)

10. 本人聲明本表格第一部分及第二部分是於本人見證下填寫及簽署。
I hereby declare that Parts I and II of this form were completed and signed in my presence.

11. 本人的個人資料如下－
My particulars are as follows –

中文姓名（正楷）：_____

Name in Chinese

英文姓名（正楷）：_____

Name in English (in BLOCK LETTERS) (姓 Surname) (名 Other name)

身分證明文件號碼：_____

Identity Document Number

地址：_____

Address

日期：_____ 見證人簽署：_____

Date

Signature of Witness

備註： * 請刪去不適用者
Note: * Delete whichever is inapplicable

授權招致選舉開支的說明

Notes on Authorization of Person to Incur Election Expenses

1. 除非候選人以指明表格明文另作示明，有關授權須當作是為在預定日期進行投票之補選而作出。
The authorization is to be regarded as being made for the by-election the poll at which is to be conducted on the scheduled date unless the candidate expressly indicates otherwise in the specified form.
2. 只有候選人或候選人預先以書面授權的人方可招致任何選舉開支。候選人可授權一人或多於一人代其招致選舉開支。“選舉開支”就某項選舉的候選人而言，指在選舉期間前、在選舉期間內或在選舉期間後，由該候選人或由他人代該候選人為促使該候選人當選，或為阻礙另一候選人當選，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。只有年滿 18 歲的人士可獲如此授權。然而，候選人應確保並無授權予任何選舉主任、助理選舉主任、或任何已獲總選舉事務主任委任協助進行投票或點票的人士（通常為政府公職人員）。
Only a candidate or person(s) with the candidate's prior authorization in writing may incur election expenses. A candidate may authorize one or more persons to incur election expenses on his behalf. Election expenses, in relation to a candidate at an election, means expenses incurred or to be incurred, before, during or after the election period, by or on behalf of the candidate for the purpose of promoting the election of the candidate; or prejudicing the election of another candidate, and includes the value of election donations consisting of goods and services used for that purpose. Only a person who has attained the age of 18 years can be so authorized. However, a candidate should ensure that he does not authorize a person who is a Returning Officer, Assistant Returning Officer, or any person (usually a Government officer) already appointed by the Chief Electoral Officer to assist at the poll or the count.
3. 一份授權書只能用作授權一位人士。如未得候選人書面授權，任何人士皆不可招致選舉開支。候選人必須確保獲授權的選舉開支限額總數不會超出港幣 48,000 元。
A separate form must be used for authorizing each person. No election expenses shall be incurred by any person unless he is so authorized by a candidate in writing. A candidate must ensure that the total authorized amount of election expenses will not exceed HK\$48,000.
4. 本授權書第一部分應由候選人填寫（包括獲授權招致選舉開支的人的姓名及住址）及簽署。第二部分應由獲授權招致選舉開支的人填寫及簽署。第三部分應由一位見證人填寫及簽署。任何年滿 18 歲並持有身分證明文件的人士均可擔任見證人。根據《區議會條例》（第 547 章）第 2 條，“身分證明文件”（identity document）指—
Part I of the form should be completed (with name and residential address of the person authorized to incur election expenses) and signed by the candidate. Part II should be completed and signed by the person authorized to incur election expenses. Part III should be completed and signed by a witness who can be any person in possession of an identity document and aged 18 years or over. According to section 2 of the District Councils Ordinance (Cap. 547), “identity document” (身分證明文件) means –
 - (a) 根據《人事登記條例》（第 177 章）向某人發出的身分證；或
an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177); or
 - (b) 在根據該條例訂立並正有效的規例下向某人發出，並證明該人獲豁免而無須根據該條例登記的文件；或
a document issued to a person under regulations in force under that Ordinance certifying that the person is exempt from being required to register under that Ordinance; or
 - (c) 向某人發出的獲選舉登記主任接受為該人的身分證明的任何其他文件。
any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity.
5. 授權書的文本，可藉專人送遞或郵遞或以圖文傳真方式送達有關的選舉主任或（如未委任選舉主任）總選舉事務主任。有關授權只有在有關的選舉主任或總選舉事務主任收到後方為有效。根據《選舉（舞弊及非法行為）條例》（第 554 章）第 23(7)條，有關授權書除非在有關的選舉期間結束前被撤銷，否則該等授權書持續有效，直至有關的選舉期間結束為止。
Service of a copy of the authorization may be effected by delivery by hand, by post or by facsimile transmission to the relevant Returning Officer or Chief Electoral Officer, if the Returning Officer has not yet been appointed.

The authorization will be effective only after it is received by the relevant Returning Officer or the Chief Electoral Officer. According to section 23(7) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the authorization remains in force until the end of the relevant election period unless it is revoked earlier.

6. 根據《選舉管理委員會（選舉程序）（區議會）規例》（第 541 章，附屬法例 F）第 29 條，選舉主任會在切實可行範圍內盡快將收到的每份授權書的副本供公眾查閱。
According to section 29 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F), a copy of the authorization will be made available for public inspection as soon as practicable after it is received by the Returning Officer.
7. 如一項開支是由一項捐贈所抵付，例如印刷商免費供應紙張及印刷傳單（由候選人或獲授權招致選舉開支的人與印刷商所安排），則須以該印刷商通常的收費而估計是項開支的合理價錢，而計算在獲授權招致的選舉開支內。獲授權招致選舉開支的人須把該等開支記存帳目，如捐贈是價值 1,000 元以上者，並須附上由印刷商簽署的捐贈收據證明（請用「劃一格式選舉捐贈收據」，表格編號為 REO/C/2/2009DC(By-E)(SDF)）。
If an item of expense is covered by a donation, for example, the printer of leaflets does not charge for the paper and the printing (by arrangement made either by the candidate or the person authorized to incur election expenses with the printer), the expense should be assessed at a reasonable value, which is the normal price charged by the printer, and forms part of the expenses authorized to be incurred. This expense should be accounted for by the person authorized to incur election expenses and evidenced by a receipt of donation (Please use “Standard Receipt for Election Donations”, the form no. of which is REO/C/2/2009DC(By-E)(SDF)) signed by the printer if it is more than \$1,000 in value.
8. 爲了協助候選人呈交「選舉開支及接受選舉捐贈之申報書及聲明書」（表格編號：REO/C/1/2009DC(By-E)(SF)），獲授權招致選舉開支的人須就招致的選舉開支記存帳目，並須在選舉後，在切實可行的情況下，盡快向候選人呈交－
In order to assist the candidate in filing the “Return and Declaration of Election Expenses and Donations” (form no.: REO/C/1/2009DC(By-E)(SF)), the person authorized to incur election expenses should keep accounts of all election expenses incurred by him on behalf of the candidate and as soon as practicable after the election submit to the candidate –
 - (a) 詳細的開支申報表，並就每項 100 元或以上的開支附上發票及收據；
a detailed statement of expenditure supported by invoices and receipts for each item of expenditure of or exceeding \$100;
 - (b) 如任何一項開支是由捐贈所支付、付出或捐助，一份載有估計該開支的合理價值的申報；
if any item of expenditure is paid or defrayed or contributed to by a donation, a statement stating the expense assessed at a reasonable value;
 - (c) 就(b)段每項 1,000 元以上的開支，附上由捐贈者簽署的收據（即「劃一格式選舉捐贈收據」，表格編號為 REO/C/2/2009DC(By-E)(SDF)）；及
a receipt of donation (i.e. “Standard Receipt for Election Donations”, the form no. of which is REO/C/2/2009DC(By-E)(SDF)) signed by the donor for each item of expenditure in (b) of exceeding \$1,000; and
 - (d) 就(b)段每項 1,000 元或以下的開支，附上捐贈收據或由獲授權招致選舉開支的人簽署的紀錄，載有獲提供服務或貨物日期、供應者的姓名或名稱及詳細地址、有關服務或貨物的詳細資料，及其估計價值。
a receipt of donation or a record signed by him giving the date when services or goods are furnished, the name and full address of the supplier concerned, the full details of the services or goods and the estimated value for each item of expenditure in (b) of \$1,000 or less.
9. 根據《選舉（舞弊及非法行爲）條例》（第 554 章）第 37(2)條的規定，候選人必須確保選舉開支及接受選舉捐贈之申報書及聲明書（表格編號：REO/C/1/2009DC(By-E)(SF)）－
Under section 37(2) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the candidate must ensure that the Return and Declaration of Election Expenses and Donations (form no.: REO/C/1/2009DC(By-E)(SF)) is lodged –
 - (a) 在選舉結果公布的日期後的 30 天屆滿之前提交；及
not later than 30 days after the date of publication of the result of the election; and

- (b) 如選舉程序根據有關的選舉法已終止，則在宣布該選舉程序終止的日期後的 30 天屆滿之前提交；及
if the proceedings for the election have been terminated under the relevant electoral law, not later than 30 days after the declaration of the termination of the election proceedings; and
- (c) 如選舉根據有關的選舉法未能完成，則在宣布該項選舉未能完成的日期後的 30 天屆滿之前提交，
if the election has failed under the relevant electoral law, not later than 30 days after the declaration of the failure of the election,

或在原訟法庭根據第 40 條容許的延長限期內提交。

or within such extended period as may be allowed by the Court of First Instance under section 40.

10. 請注意下列有關在本授權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 authorization –

(a) **資料用途**

就此授權書提供的個人或其他有關的資料，會供選舉主任及選舉事務處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 authorization will be used by the Returning Officer and the Registration and Electoral Office for election-related purposes.

(b) **資料轉介**

授權書將根據《選舉管理委員會（選舉程序）（區議會）規例》（第 541 章，附屬法例F）提供給公眾查閱。在展示前，表格內所有身分證明文件號碼將會被遮蓋。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，根據有關條例及／或附屬法例用於選舉和所有相關的用途。

Transfer of Information

The authorization will be made available for public inspection in accordance with the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F). All identity document numbers in the form will be covered before display. The information concerned may be provided to other authorized departments/organizations/persons including but not limited to the law courts for purposes of election under relevant Ordinances and/or subsidiary legislation and all purposes related thereto.

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

(d) **查詢**

關於透過本表格收集的個人資料的查詢（包括索閱及改正個人資料），應向總選舉事務主任提出（地址：香港灣仔港灣道 25 號海港中心 10 樓）。

Enquiry

Enquiries concerning the personal data collected by means of this form (including the making of requests for access and corrections) should be addressed to the Chief Electoral Officer at 10th Floor, Harbour Centre, 25 Harbour Road, Wan Chai, Hong Kong.

選舉管理委員會
二零零九年一月
Electoral Affairs Commission
January 2009