

監察投票代理人委任通知書

NOTICE OF APPOINTMENT OF POLLING AGENTS

《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 45 及 94 條
Sections 45 and 94 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F)

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

[備註：在填寫此通知書前，請參閱《填寫監察投票代理人委任通知書說明》。]

[Note: Before completing this notice, please read carefully the "Notes on Completion of Notice of Appointment of Polling Agents".]

第一部分 委任（由候選人或選舉代理人填寫）

PART I APPOINTMENT (To be completed by candidate or election agent)

候選人姓名（正楷）：_____

Name of Candidate (in BLOCK LETTERS) (姓 Surname) (名 Other name)

投票站名稱：_____

Name of Polling Station

1. 本人為上述*候選人／候選人的選舉代理人，現委任下列人士在上述補選中擔任*本人／上述候選人在上述投票站之監察投票代理人－

I, being the *above-named candidate/election agent of the above-named candidate, hereby appoint the following person(s) to act as *my/the candidate's polling agent(s) for the above-named polling station at the above by-election –

(a) 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)

香港身分證號碼：_____ 聯絡電話：_____

Hong Kong Identity Card Number Contact Telephone Number

住址：_____

Residential

Address _____

(b) 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)

香港身分證號碼：_____ 聯絡電話：_____

Hong Kong Identity Card Number Contact Telephone Number

住址：_____

Residential

Address _____

2. 本人清楚明白候選人的監察投票代理人可以代表候選人進行一切候選人為與投票的進行相關的事宜所作的合法行動，包括在上述投票站觀察整個投票過程進行的情況，並將觀察所得的結果記錄下來。但不得做任何違法或足以干擾投票進行的事情。

I understand that the candidate's polling agents may do all the things on the candidate's behalf that the candidate can lawfully do for any purpose connected with the conduct of the poll, including observing all proceedings inside the above polling station and recording their observations. Nevertheless, they shall not do anything which is contrary to law or may interfere with the conduct of the poll.

3. 本人亦清楚明白在投票當日，同一時間內只可以有上述其中一位監察投票代理人進入其獲委任的投票站。凡候選人或其選舉代理人正逗留在投票站內，則監察投票代理人不得同時逗留在該投票站內。而且，為了維持投票站內的秩序及確保投票過程得以順利進行，投票站主任可以規定在同一時間內進入投票站的候選人、選舉代理人及監察投票代理人的數目。

I also understand that only one of the above polling agents may be admitted at any one time to the polling station for which he has been appointed on the polling day. Whenever the candidate or his election agent is present within the polling station, his polling agents should not be present at the same time within that polling station. Moreover, the Presiding Officer may regulate the number of candidates, election agents and polling agents to be admitted to the polling station at any one time for the purpose of maintaining order in the polling station and ensuring that polling is conducted smoothly.

4. 本人亦清楚明白可於投票日前將由本人簽署的書面通知送交有關的選舉主任，或於投票日親自送交監察投票代理人所負責的投票站的投票站主任，以撤銷此等監察投票代理人的委任。

I also understand that these appointments may be revoked by me before the polling day by delivering to the relevant Returning Officer, or on the polling day by delivering in person to the Presiding Officer for the polling station for which the polling agents are appointed, a notice in writing and signed by me to that effect.

5. 此項委任是為在第 1 頁所述日期進行的投票或（如適用的話）於遭押後或延期的該次投票而作出。

This appointment is made for the purpose of the poll at which is to be conducted on the date stated in page 1 and (where applicable) the postponed or adjourned poll.

* 候選人／選舉代理人簽署： _____
Signature of *Candidate/Election Agent

* 候選人／選舉代理人姓名（正楷）： _____
Name of *Candidate/Election Agent (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 監察投票代理人接受委任及理解聲明 (由監察投票代理人填寫)

PART II POLLING AGENT'S/POLLING AGENTS' ACCEPTANCE AND UNDERSTANDING

(To be completed by polling agent(s))

6. *本人／我們各人的個人資料已列於上述第 1 段，*本人現接受／我們現分別接受本通知書第一部分所述之委任。
*I/Each of us, whose particulars are shown in paragraph 1 above, hereby accept(s) the appointment as stated in Part I of this notice.
7. *本人／我們每人均清楚明白，*本人／我們須預先作出保密聲明，並於投票日向上述投票站主任報到時出示該保密聲明及*本人／我們的身分證。
*I/Each of us understand(s) that *I/we must make a Declaration of Secrecy in advance and produce such Declaration of Secrecy and *my/our Hong Kong Identity Card(s) when reporting to the Presiding Officer of the above polling station on the polling day.
8. *本人／我們每人均清楚明白，在投票站內，*本人／我們不得—
*I/Each of us understand(s) that inside the polling station, *I/we **must not** —
- (a) 與任何選民談話或通信息，或干擾，或試圖影響他們；
speak to or communicate with or interfere with or attempt to influence any elector;
 - (b) 試圖獲取，或透露所獲得有關任何選民投票的資料；
attempt to obtain information, or disclose any knowledge acquired in respect of the vote of any elector;
 - (c) 拍影片、拍照、錄音或錄影；
film, take photographs or make any audio or video recording;
 - (d) 展示、留下或派發任何選舉宣傳資料；
exhibit or leave or distribute any campaign material;
 - (e) 展示、穿着或戴上可促使或阻礙一名或多於一名候選人在有關選舉中當選的徽章、標誌、衣物或頭飾；
display or wear any badge, emblem, clothing or head-dress which may promote or prejudice the election of a candidate or candidates at the election;
 - (f) 展示、穿着或戴上直接提述有任何成員在有關選舉中參選的團體，或登記名稱或登記標誌已印在有關選舉的任何選票上的訂明團體的徽章、標誌、衣物或頭飾；
display or wear any badge, emblem, clothing or head-dress which makes direct reference to a body any member of which is standing as a candidate in the election, or a prescribed body the registered name or registered emblem of which has been printed on any ballot paper for the election;
 - (g) 使用流動電話、傳呼機或任何其他器材進行電子通訊；或
use a mobile telephone, paging machine or any other device for electronic communication; or
 - (h) 索問或查閱選民的身分證明文件。
seek to check or check any elector's identity document.
9. *本人／我們每人均清楚明白，*本人／我們不得—
*I/Each of us further understand(s) that *I/we **must not** —
- (a) 藉透露選民登記冊上的資料如選民姓名或身分證號碼，向任何人洩露某一人士是否已索取選票或已於投票站投票；
divulge to any other person by communicating information as to the identity card number or a name in the register of electors, or otherwise, whether a person has or has not applied for a ballot paper or voted at the polling station;
 - (b) 洩露在投票站內獲取的資料，包括在該投票站的選民將會投票或已投票予哪位候選人；或
communicate to any person any information obtained in the polling station as to the candidate for whom an elector in that station is about to vote or has voted; or
 - (c) 干擾或企圖干擾任何投票箱、未予發出的選票、未予使用的選票、損壞的選票、重複的選票、經填劃的選票及投票站員工使用之任何選民登記冊副本。
interfere with or attempt to interfere with any ballot boxes, unissued ballot papers, unused ballot papers, spoiled ballot papers, tendered ballot papers, marked ballot papers or any copy of the register of electors used by the polling staff at the polling station.

10. *本人／我們每人亦清楚明白，倘*本人／我們在投票站內或其附近或在禁止拉票區／禁止逗留區內行爲不檢，或不服從選舉主任或投票站主任的任何合法指示，即屬違法，可被判罰款及監禁，並可能會被選舉主任或投票站主任命令立即離開該地方。倘沒有離開，可能會被警務人員或任何其他獲書面授權人員帶離該地方。如*本人／我們各人被帶離後，除非得到選舉主任或投票站主任的許可，否則在投票日不得再次進入有關地方。

*I/Each of us also understand(s) that if *I/we misconduct *myself/ourselves at or in the vicinity of the polling station or within the no canvassing zone/no staying zone or fail to obey any lawful order of the Returning Officer or the Presiding Officer, *I/we shall commit an offence punishable with a fine and imprisonment and may be ordered by such officer to leave the area immediately. *My/Our failure to leave such area may result in *my/our being removed by a police officer or by any other person so authorized in writing. If *I/we are so removed, *I/we may not re-enter the relevant area on the polling day except with the permission of the Returning Officer or the Presiding Officer.

- (a) 監察投票代理人簽署：_____

Signature of Polling Agent

監察投票代理人姓名（正楷）：_____

Name of Polling Agent (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

日期：_____

Date

- (b) 監察投票代理人簽署：_____

Signature of Polling Agent

監察投票代理人姓名（正楷）：_____

Name of Polling Agent (in BLOCK LETTERS)

（姓 Surname）

（名 Other name）

日期：_____

Date

備註： * 請刪去不適用者

Note: * Delete whichever is inapplicable

填寫監察投票代理人委任通知書說明

Notes on Completion of Notice of Appointment of Polling Agents

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在預定日期進行的投票或（如適用的話）於遭押後或延期的該次投票而委任。

The agent is to be regarded as being appointed for the poll to be conducted on the scheduled date and (where applicable) the postponed or adjourned poll, unless the candidate expressly indicates otherwise in the specified form.

2. 候選人或其選舉代理人可在該候選人獲提名的選區內，就每個投票站委任不超過 2 名監察投票代理人。凡年滿 18 歲的香港身分證持有人可被委任為監察投票代理人。任何人可被委任為多於一個投票站的監察投票代理人，但該候選人或選舉代理人須分別就每一個投票站填寫一份委任通知書。候選人或其選舉代理人不應委任任何選舉主任、助理選舉主任、或任何已受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）為其監察投票代理人。

A candidate or his election agent **may appoint not more than 2 polling agents** for each polling station in respect of the constituency for which the candidate is nominated. Any person who is a holder of a Hong Kong Identity Card and has attained the age of 18 years may be appointed as a polling agent. A person can be appointed as a polling agent for more than one polling station but separate notices should be given in respect of each polling station. A candidate or his election agent should not appoint as his polling agent any 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. (a) 在同一時間內，每名候選人只可以有一名監察投票代理人進入一個投票站內。如候選人或他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。

Only **one** polling agent of a candidate will be admitted to a polling station at any one time. When a candidate or his 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) 投票站主任會規管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人士進入投票站。

The admission into the polling station of a candidate, his 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 the full capacity of the area inside the polling station designated for such persons has been reached, the Presiding Officer will refuse further admission.

- (c) 進入投票站的指定範圍是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 will 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.

- (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，否則一小時後他必須離開。每位進入投票站指定範圍的人士須在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 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 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卡，以記錄指定範圍有空位時他獲准入內的次序。當輪到持有某一號碼卡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候。

When the capacity of 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 entry to the designated area when a vacant seat arises. When it is his turn, his number will be called outside the entrance to the polling station, but if he is not present, then his place will be given to the one holding the next number. Such an absentee will have to obtain another number chit and join the queue afresh on his return.

4. 本通知書的第一部分應由候選人或選舉代理人填寫及簽署。第二部分應由各個監察投票代理人填寫及簽署。

Part I of the notice should be completed and signed by the candidate or the election agent. Part II should be completed and signed by each of the polling agents.

5. 委任監察投票代理人的委任通知書，須於投票日 7 天前（即 2009 年 3 月 22 日或之前）由專人送遞或以郵遞或圖文傳真方式送交有關的選舉主任，或於投票日，由候選人或選舉代理人親自向監察投票代理人所負責的投票站的投票站主任遞交。逾期遞交的通知將不予接納。監察投票代理人的委任，在選舉主任或投票站主任（視何者適用而定）接獲委任通知書後始生效。

Notice of appointment of polling agents shall be given to the relevant Returning Officer by hand or by post or by facsimile transmission at least 7 days before the polling day (i.e. by 22 March 2009), or be given by the candidate or the election agent in person to the Presiding Officer for the polling station for which the polling agents are appointed on the polling day. Late submissions will not be accepted. The appointment of polling agents will not be effective until notice of appointment is received by the Returning Officer or the Presiding Officer, as may be appropriate.

6. 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，會供選舉事務處、選舉主任及投票站主任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 Registration and Electoral Office, the Returning Officer and the Presiding Officer for election-related purposes.

(b) **資料轉介**

此通知書內的資料可能會提供予其他獲授權的部門或機構，用於與選舉有關的用途。

Transfer of Information

The information provided in this notice may be provided to other authorized departments/agencies 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 notice (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