

資助的申索

CLAIM FOR FINANCIAL ASSISTANCE

《選舉管理委員會（立法會選舉及區議會選舉資助）（申請及支付程序）規例》（第 541 章，附屬法例 N）第 3 條
Section 3 of the Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections)
(Application and Payment Procedure) Regulation (Cap. 541 sub. leg. N)

2010 年立法會補選 2010 LEGISLATIVE COUNCIL BY-ELECTION

（地方選區的名稱）

(Name of the Geographical Constituency)

補選日期：2010 年 5 月 16 日

Date of By-election: 16 May 2010

〔備註：請用正楷填寫此表格及參閱夾附的《填寫申索表格須知》。〕

[Note: Please use BLOCK LETTERS in completing this form and read the attached "Notes on Completion of Claim Form".]

（此表格須由候選人填寫及簽署（註 3）。）

(This form must be completed and signed by the candidate (Note 3).)

致：總選舉事務主任

To: Chief Electoral Officer

1. 本人現就上述補選提交資助的申索及明白獲資助的款額為以下較低款額：

I hereby lodge a claim for financial assistance in connection with the above-mentioned by-election and understand that the amount payable as financial assistance is the lower of the following amounts:

- (a) （如屬有競逐的補選）投予本人的有效選票總數或（如屬無競逐的補選）有關地方選區的登記選民數目的 50% 乘以指明的資助額所得的款額（註 6）：
(If the by-election is contested) the amount obtained by multiplying the total number of valid votes cast for me or (if the by-election is uncontested) 50% of the number of registered electors for the geographical constituency concerned by the specified rate (Note 6):

$$\begin{array}{l} \text{_____} \times \$ \frac{11}{\text{元}} = \$ \frac{\text{_____}}{\text{元}} \\ \text{(如屬有競逐的補選,} \\ \text{所獲有效選票總數或} \\ \text{如屬無競逐的補選,} \\ \text{有關地方選區的} \\ \text{登記選民數目的 50\%)} \\ \text{(If the by-election is contested,} \\ \text{total no. of valid votes received or} \\ \text{if the by-election is uncontested,} \\ \text{50\% of the no. of registered electors for the} \\ \text{geographical constituency concerned)} \end{array} \begin{array}{l} \text{(指明的資助額)} \\ \text{(Specified rate)} \end{array} \begin{array}{l} \text{(款額)} \\ \text{(Amount)} \end{array}$$

- (b) 本人的申報選舉開支的 50%：
50% of my declared election expenses:

$$\begin{array}{l} \$ \text{_____} \text{元} \times \text{50\%} = \$ \text{_____} \text{元} \\ \text{(申報選舉開支)} \\ \text{(Declared election expenses)} \end{array} \begin{array}{l} \text{(款額)} \\ \text{(Amount)} \end{array}$$

2. 請以劃線支票支付 _____ 元（以上第 1 (a) 及 (b) 段中的較低款額）予本人及將支票郵寄至下列地址（註 7 及註 9）：

Please make payment of \$ _____ (the lower amount in paragraphs 1(a) and (b) above) to me by crossed cheque and send it by post to the following address (Notes 7 & 9):

候選人姓名

Name of Candidate _____

地址

Address _____

3. 現附上一份選舉申報書及一份核數師報告，以供核實（註 5）。
An election return and an auditor's report are attached for your verification (Note 5).

4. *本人在選舉申報書所申報的選舉開支沒有未支付之索款（註 8）；**或**
There are no outstanding claims included as election expenses in my election return (Note 8); **or**

*就本人在選舉申報書所申報的選舉開支內包括的所有未支付之索款（“索款”）（註 8），合共 _____ 元，現於下表列出預定支付索款的時間表（“付款時間表”）。本人承諾將依據付款時間表所擬定支付索款的日期，向有關供應者支付索款，並於付款日期後的 30 天內，向總選舉事務主任提交經本人妥為核證的每項 100 元或以上的選舉開支的發票及付款收據，以證明上述索款已如期支付。本人同意向香港特別行政區政府退還任何因本人未能如期支付索款並提交經妥為核證的發票及收據而多獲批發的資助款額。

I set out in the Schedule for Settlement of Outstanding Claim(s) (“Schedule”) below for all the outstanding claim(s) (Note 8), totaling \$ _____, included as election expenses in my election return. I undertake to settle the outstanding claim(s) with the supplier(s) according to the scheduled date(s) of payment of outstanding claim(s) as indicated in the Schedule and submit to the Chief Electoral Officer within 30 days from the payment date a duly certified invoice and receipt for election expense, which was of \$100 or more in support of the settlement of the outstanding claim(s). I agree to return to the Government of Hong Kong Special Administrative Region any over-paid sum of financial assistance claimed by and made to me due to my subsequent failure to settle the outstanding claim(s) and submit the duly certified invoice(s) and receipt(s) as above-mentioned.

填寫申索表格須知 Notes on Completion of Claim Form

1. 請以中文或英文填寫此份表格。

Please complete this form either in Chinese or English.

2. 只在以下情況，地方選區補選候選人才有資格獲得資助—

- (a) 如該候選人當選為議員；或
- (b) 如該候選人沒有當選為議員，但—
 - (i) 該候選人並非屬喪失資格的候選人；及
 - (ii) 該候選人獲得的有效票總數相等於或超逾投予有關的地方選區的有效票總數的 5%。

A candidate for the by-election of the geographical constituency concerned is eligible for financial assistance only in the following circumstances -

- (a) if the candidate is elected as a Member; or
- (b) if the candidate is not elected as a Member, but -
 - (i) the candidate is not a disqualified candidate; and
 - (ii) the number of valid votes cast for the candidate is equal to or exceeds 5% of the total number of valid votes cast in the geographical constituency concerned.

3. 此申索表格必須由有關候選人簽署。如候選人在作出申索前去世，此申索表格須由該名已去世候選人的合法遺產代理人，或如沒有合法遺產代理人或合法遺產代理人不願意行事，則由該名已去世候選人的最近親簽署。

This claim form must be signed by the candidate concerned. In case the candidate dies before the claim is made, this claim form must be signed by the legal personal representative of the deceased candidate, or by the next of kin of the deceased candidate if there is no legal personal representative or the legal personal representative is unwilling to act.

4. 任何合資格候選人如欲作出申索，必須填妥此指明表格 REO/C/19(GC)/2010LC(By-E)(SF)。此填妥的表格須由候選人或其代理人在選舉結果公布的日期後的 60 天內在通常辦公時間內或在原訟法庭根據《選舉（舞弊及非法行為）條例》（第 554 章）第 40 條就選舉申報書的提交容許的延長限期內，親自交回總選舉事務主任。如有關選舉未能完成，候選人則須於宣布選舉未能完成後的 60 天內提交申索。“通常辦公時間”指星期一至五上午 8 時 45 分至下午 6 時，公眾假期及午膳時間下午 12 時 30 分至 1 時 30 分除外。（註：如提交此申索表格的限期的最後一天是星期六，則“通常辦公時間”會包括該星期六上午 9 時至正午 12 時。）

Eligible candidate wishing to lodge a claim must complete this specified form REO/C/19(GC)/2010LC(By-E)(SF). This completed form must be presented by the candidate or the agent of the candidate to the Chief Electoral Officer in person within 60 days after the date of publication of the result of the election during ordinary business hours, or within such extended period as may be allowed by the Court of First Instance under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) for lodging an election return. If the election concerned has failed, the candidate must lodge the claim within 60 days after the declaration of the failure of the election. “Ordinary business hours” means the hours between 8:45 a.m. and 6 p.m. from Monday to Friday, other than a general holiday and lunch break from 12:30 p.m. to 1:30 p.m. (Note: In the case that the deadline for submission of this claim form falls on a Saturday, “Ordinary business hours” shall include the hours between 9 a.m. and 12 noon on that Saturday.)

5. 此申索表格須連同一份《選舉（舞弊及非法行為）條例》（第 554 章）第 2(1)條界定的選舉申報書及一份核數師報告一併遞交。核數師報告必須述明核數師已藉按照《香港核證準則》進行的合理核證工作，審計有關申報選舉開支的帳目；及述明按核數師的意見，有關選舉申報書是否在所有要項上均符合《選舉（舞弊及非法行為）條例》（第 554 章）第 37(1)(a)及(2)(b)(i)及(v)條。

This claim form must be accompanied by an election return defined under section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and an auditor's report. The auditor's report must state that the auditor has audited the account of the declared election expenses by conducting a reasonable assurance engagement in accordance with the Hong Kong Standards on Assurance Engagements; and state the auditor's opinion as to whether the election return complies with section 37(1)(a) and (2)(b)(i) and (v) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in all material respects.

6. 如有關選舉是沒有競逐的，請在表格內的第 1(a)段填寫在正式選民登記冊所載有關地方選區的登記選民人數的 50%。否則，請在第 1(a)段內填寫投予有關候選人的有效選票總數。
If the election concerned is uncontested, please fill in 50% of the number of registered electors for the geographical constituency concerned in the final register in paragraph 1(a) of the form. Otherwise, please fill in the total number of valid votes cast for the candidate concerned in paragraph 1(a).
7. 在此表格第 2 段所述的申索款額不能超逾在《立法會條例》(第 542 章)第 60D 條所註明的上限。
The amount claimed as stated in paragraph 2 of this form must not exceed the ceiling stipulated in section 60D of Legislative Council Ordinance (Cap. 542).
8. 選舉申報書申報的選舉開支內包括的未支付之索款是指所有已經招致但尚未支付的選舉開支，例如待付的貸款利息等。如候選人申報的選舉開支有包括未支付的索款，在提交此資助的申索時，該候選人須同時於本表格內付上一份預定支付該等索款的時間表，並於支付索款的日期後的 30 天內，向總選舉事務主任提交經有關候選人或選舉開支代理人妥為核證的每項 100 元或以上的選舉開支的發票及付款收據。載於**附錄**的樣本顯示應如何妥為核證發票及收據。選舉開支的發票及收據可包括在同一份文件內。
Outstanding claims included as election expenses in the election return refer to all those election expenses that have been incurred but are yet to be settled, e.g. payable interests of loan, etc. In the case that a candidate's declared election expenses have included any outstanding claim(s), the candidate is required to provide a schedule for settlement of these outstanding claim(s) in this claim form at the time of making a claim for financial assistance and then submit to the Chief Electoral Officer duly certified invoice(s) and receipt(s) in the case of each election expense of \$100 or more in support of the settlement of the outstanding claim(s) within 30 days from the payment date. Samples showing how the invoice(s) and receipt(s) should be duly certified are at **Appendix**. An invoice and a receipt for an election expense may be included in the same document.
9. 總選舉事務主任可要求候選人，提供其認為合理並用於核實有關申索的進一步資料。該要求會以書面及掛號郵遞送交在表格第 2 段述明的地址。如候選人未能於指明的限期內回覆，總選舉事務主任可無須事先通知而停止處理有關申索。
The Chief Electoral Officer may require the candidate to provide further information as he may reasonably require to verify the claim. A requirement for further information will be in writing and sent by registered post to the address stated in paragraph 2 of the form. If the candidate does not respond within the specified period, the Chief Electoral Officer may, without any prior notice, stop processing the claim.
10. 總選舉事務主任在核實有關申索後(但不早於選舉結果在憲報公布的日期後的 2 個月內)，會核證就該申索須付的資助款額，並通知庫務署署長該款額及該款額須付予何人。庫務署署長在接獲有關通知後，會在切實可行的範圍內盡快按照該通知付款。
After verifying the claim (but not earlier than 2 months after the publication of the election result in the Gazette), the Chief Electoral Officer will certify the amount of financial assistance payable on the claim and notify the Director of Accounting Services of the amount and the person to whom it is to be paid. As soon as practicable after receiving the notification, the Director of Accounting Services will, make the payment in accordance with the notification.
11. 如有人已提交與某地方選區的補選有關的選舉呈請書，總選舉事務主任不得支付資助予該選區的任何候選人，直至該呈請書被裁定、放棄或終止。
In case an election petition is lodged in relation to a by-election for a geographical constituency, the Chief Electoral Officer must not make any payment of financial assistance in respect of any candidate for that geographical constituency until the determination, abandonment or termination of the petition.
12. 請注意以下有關就此申索提供個人資料的說明－
Please note the following with regard to the personal data supplied in connection with this claim -
- (a) **資料用途**
就此申索提供的個人及其他有關的資料，會供選舉事務處用作與選舉有關的用途。
Purpose of Collection
The personal data and other related information supplied in connection with this claim will be used by the Registration and Electoral Office for election-related purposes.

(b) **資料轉介**

此申索內的資料可能會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 claim 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 that he supplied in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **查詢**

有關透過此申索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 claim (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

2010 年 3 月

Electoral Affairs Commission

March 2010

1. 核證供應者發票及收據正式樣式

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

<p>核證無誤 Certified correct</p> <hr/> <p>[候選人簽署] [Signature of candidate]</p> <p>[候選人姓名] [Name of candidate]</p> <p>[日期] [Date]</p>

2. 核證供應者發票及收據副本樣式

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

<p>核證無誤，核證為真確副本及之前從未提交相同申索 Certified correct, certified true copy and no duplicate claim has been submitted previously</p> <hr/> <p>[候選人簽署] [Signature of candidate]</p> <p>[候選人姓名] [Name of candidate]</p> <p>[日期] [Date]</p>
