

**就非位於監獄內的投票站
委任監察投票代理人通知書**
**NOTICE OF APPOINTMENT OF POLLING AGENTS
FOR A POLLING STATION NOT SITUATED IN A PRISON**

《選舉管理委員會（選舉程序）（立法會）規例》（第 541D 章）第 42 及 96 條
Sections 42 and 96 of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D)

2018 年立法會九龍西地方選區補選
2018 LEGISLATIVE COUNCIL
KOWLOON WEST GEOGRAPHICAL CONSTITUENCY BY-ELECTION

九龍西 Kowloon West

（*地方選區／功能界別名稱）
(Name of *Geographical/~~Functional~~ Constituency)

補選日期：2018 年 11 月 25 日
Date of By-election: 25 November 2018

〔附註：在填寫此通知書前，請參閱《填寫就非位於監獄內的投票站委任監察投票代理人通知書說明》（“說明”）。〕

[Note: Before completing this notice, please read the “Notes on Completion of Notice of Appointment of Polling Agents for a Polling Station Not Situated in a Prison” (“Note(s)”).]

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(s) _____

1. 我為上述*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*我／上述候選人在上述投票站之監察投票代理人（見說明第 2 項）－

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(s) at the above by-election (see Note 2) –

(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. 我明白*我／候選人的監察投票代理人可以代表*我／候選人進行一切*我／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 *my/the candidate's polling agents may do all the things on *my/the candidate's behalf that *I/the candidate can lawfully do for any purpose connected with the conduct of the poll, including observing all proceedings inside the above polling station(s) 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. 我亦明白在投票當日，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停留在投票站內，則監察投票代理人不得同時停留在該投票站內。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，投票站主任可以規限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（見說明第3項）。

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/she has been appointed on the polling day. Whenever the candidate or his/her election agent is present in the polling station, his/her 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 (see Note 3).

4. 我亦明白可於投票日前將由我簽署的書面通知書交付予總選舉事務主任，或於投票當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 of polling agent(s) may be revoked by me before the polling day by delivering to the Chief Electoral 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和（如適用的話）於遭押後的該次投票而作出。

This appointment is made for the purpose of the poll to be conducted on the date stated on 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 AGENTS' ACCEPTANCE AND UNDERSTANDING

(To be completed by polling agent(s))

6. *我／我們各人的個人資料已列於上述第 1 段，*我現接受／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. *我／我們每人均明白，*我／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*我／我們的香港身分證。
*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(s) on the polling day.
8. *我／我們每人均明白，在投票站內，*我／我們不得－
*I/Each of us understand(s) that inside the polling station, *I/we must **not**－
- (a) 從事拉票活動，或與任何選民談話或通信息，或干擾，或試圖影響他們；
engage in the canvassing of votes, or speak to or communicate with or interfere with or attempt to influence any elector;
 - (b) 試圖採取或透露有關任何選民投票的任何資料；
attempt to obtain or disclose any information concerning 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, 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補選中當選的徽章、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 by-election;
 - (f) 展示、穿着或戴上直接提述有任何成員在有關補選中參選的團體，或登記名稱或登記標誌已印在有關補選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 by-election, or a prescribed body the registered name or registered emblem of which has been printed on any ballot paper for the by-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. *我／我們每人均明白，*我／我們不得－
*I/Each of us further understand(s) that *I/we must **not**－
- (a) 藉傳達關於選民在選民登記冊上的資料如選民身分證明文件號碼或姓名，或藉其他方式，向他人透露某人是否已申領選票或已於投票站投票；
divulge to any other person by communicating information such as the identity document number or name of an elector in the register of electors, or otherwise, as to whether a person has or has not applied for a ballot paper or voted at the polling station;
 - (b) 向他人傳達在投票站內取得的關於在該投票站的選民將會投票或已投票予哪位候選人的資料；或
communicate to any person any information obtained in the polling station as to the candidate for whom an elector in that polling station is about to vote or has voted; or
 - (c) 干擾或企圖干擾任何投票箱、未發出的選票、未用的選票、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 and any copy of the register of electors used by the polling staff at the polling station.

10. *我／我們每人亦明白，倘若*我／我們在投票站內或其鄰近範圍內或在禁止拉票區／禁止逗留區內行為不檢，或不遵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。倘若*我／我們沒有離開，可能會被警務人員或獲選舉主任或投票站主任（視何者適用而定）以書面授權的人員逐離該地方。如*我／我們各人被逐離後，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 a person authorised in writing by the Returning Officer or the Presiding Officer, as may be appropriate. 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

* 請刪去不適用者。
Please delete whichever is inapplicable.

**填寫就非位於監獄內的投票站
委任監察投票代理人通知書說明**
**Notes on Completion of Notice of Appointment of Polling Agents
for a Polling Station Not Situated in a Prison**

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和（如適用的話）於遭押後的該次投票而委任。

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地方選區內，就每個非位於監獄內的投票站委任不超過 2 名監察投票代理人。凡年滿 18 歲的香港身分證持有人均可被委任為監察投票代理人。候選人可委任同一人為多於一個投票站的監察投票代理人，但須在第一部分填寫有關的投票站名稱。如果某人被委任為所有供該地方選區選民投票的非位於監獄內的投票站的監察投票代理人，請在第一部分填寫“所有”。候選人或其選舉代理人不應委任任何總選舉主任、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/her election agent may appoint not more than 2 polling agents for each polling station not situated in a prison in respect of the geographical 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. Candidate may appoint the same person as a polling agent for more than one polling station but the name of the relevant polling stations should be put in PART I. If a person is appointed as a polling agent for all the polling stations not situated in a prison for polling by electors of the geographical constituency concerned, please put “ALL” in PART I. A candidate or his/her election agent should not appoint any Chief Returning Officer, 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 as his/her polling agent.

3. (a) 就每名候選人而言，在候選人、其選舉代理人或其監察投票代理人中，同一時間內只限一人停留在一個投票站內監察投票。因此，如候選人或他／她的選舉代理人正停留在投票站內，則該候選人的監察投票代理人不得同時停留在投票站內。

For each candidate, only **one** among the candidate, his/her election agent or his/her polling agent(s) may enter and be present in a polling station to observe the poll at any one time. Therefore, when a candidate or his/her election agent is present in a polling station, a polling agent of that candidate shall not be present at the same time in the polling station.

- (b) 投票站主任可以規限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該等人士在該等時間進入投票站。

The admission into the polling station of a candidate, his/her 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 full capacity of the area inside the polling station designated for such persons has been reached, the Presiding Officer may refuse further admission at that point of time.

- (c) 進入投票站的指定範圍監察投票一般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 to observe the poll will normally 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 to determine the priority of entry.

- (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；除非其後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，否則他／她必須離開。每位進入投票站指定範圍的人士須在投票站職員保管的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/she 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 of admission 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籌，以記錄指定範圍有空位時他／她獲准入內的次序。當輪到持有某一號碼籌的人士進入該範圍時，投票站人員會在投票站入口讀出該號碼。如該號碼持有人當時並不在場，則持有下一個號碼籌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籌輪候。

When 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/her entry to the designated area when a vacant seat arises. When it is

his/her turn, his/her number will be called outside the entrance to the polling station, but if he/she is not present, then admission will be granted to the one holding the next number chit. Such an absentee will have to obtain another number chit and join the queue afresh on his/her return.

- (f) 如候選人或其代理人要求進入投票站但直至投票結束前的所有等候時段已滿，即沒有空缺的時段可以分配給該候選人或其代理人。然而，如該候選人或其任何一位代理人均未曾於投票日進入該投票站觀察投票，相關的投票站主任會盡量透過特別安排給予該候選人／代理人於投票結束前進入該投票站觀察投票的機會。在這特別安排下，如果獲分配最後等候時段進入投票站的候選人或其任何一位代理人，已曾於較早時獲分配時段於該投票站觀察投票，上述要求進入投票站的候選人或代理人將會取代此人，獲分配該時段。

If a candidate or his/her agent seeks admission to a polling station but all the waiting slots are full until the close of poll, no vacant slot can be allocated to the candidate or his/her agent. However, if none of this candidate or his/her agent has earlier entered the polling station to observe the poll on the polling day, the Presiding Officer concerned will endeavour to give the candidate/agent an opportunity to enter the polling station to observe the poll before the close of poll under a special arrangement. Under this special arrangement, the person will replace the candidate or his/her agent who has been allocated the last waiting slot for admission to the polling station if this last candidate or any of his/her agents has already been given an earlier slot to observe the poll at that polling station.

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. 監察投票代理人的委任通知書，須於投票日前的第 7 天或之前（即 2018 年 11 月 18 日或之前）藉專人送遞、郵遞、電子郵件或圖文傳真方式交付予總選舉事務主任，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，在總選舉事務主任或投票站主任（視何者適用而定）接獲委任通知書後始生效。

Notice of appointment of polling agents must be delivered to the Chief Electoral Officer by hand, by post, by electronic mail or by facsimile transmission at least 7 days before the polling day (i.e. on or before 18 November 2018), or be delivered by the candidate or the election agent in person to the Presiding Officer of 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 Chief Electoral Officer or the Presiding Officer, as may be appropriate.

6. 候選人在填寫此通知書時如有任何問題，請在辦公時間內致電選舉事務處的查詢熱線 2891 1001。

If the candidate has any questions in completing this notice, please call the Enquiry Hotline of the Registration and Electoral Office at 2891 1001 during office hours.

7. 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，會供選舉管理委員會、選舉事務處、有關的選舉主任、有關投票站的投票站主任及其他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 notice will be used by the Electoral Affairs Commission, the Registration and Electoral Office, the relevant Returning Officer, the Presiding Officer of the relevant polling stations and other related government departments for election-related purposes.

(b) **資料轉介**

就此通知書提供的個人及其他有關的資料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

The personal data and other related information supplied in connection with this notice may 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 accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **個人資料保障原則**

候選人／選舉代理人在收集第三者的個人資料以填寫此通知書時，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/Election agents 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 notice, 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 requests for access to and corrections of personal data) 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

2018 年 9 月

Electoral Affairs Commission

September 2018