

2021 年選舉委員會界別分組一般選舉
2021 ELECTION COMMITTEE SUBSECTOR
ORDINARY ELECTIONS

準候選人向提名顧問委員會要求提供意見的申請
APPLICATION BY A PROSPECTIVE CANDIDATE
TO A NOMINATIONS ADVISORY COMMITTEE FOR ADVICE

《選舉管理委員會（提名顧問委員會（選舉委員會））規例》（第 541H 章）第 6 條

Section 6 of the Electoral Affairs Commission

(Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541H)

提名為選舉委員會以下界別分組選舉的候選人的資格
ELIGIBILITY FOR NOMINATION AS A CANDIDATE
FOR THE ELECTION COMMITTEE SUBSECTOR ELECTION FOR

（界別分組的名稱 Name of subsector）

（請用正楷填寫此表格及小心參閱夾附的說明）

(Please use BLOCK LETTERS when completing this form and read carefully the attached Notes)

第一部分：申請人資料

PART I PARTICULARS OF APPLICANT

1. 中文姓名（正楷）： _____
Name in Chinese
2. 英文姓名（正楷）： _____
Name in English (in BLOCK LETTERS) (姓 Surname) (名 Other name)
3. 香港身分證號碼： _____
Hong Kong Identity Card Number
4. 通訊地址： _____
Correspondence
Address _____
5. 聯絡電話號碼： _____
Contact Telephone Number(s)
6. 傳真號碼： _____
Fax Number
7. 電郵地址： _____
Email Address

第二部分：申請人的資格（請提供以下資料，並在合適方格內加「✓」號。）

PART II ELIGIBILITY OF APPLICANT

(Please provide the following information and tick the appropriate boxes.)

第一節：一般資格

Section 1: General Eligibility

8. ☐ 我已登記為地方選區的選民，並有資格如此登記。
I am a registered elector in the geographical constituency and am eligible to be so registered.

☐ 我並未在任何地方選區登記為選民。
I am not a registered elector in any of the geographical constituencies.

9. ☐ 我已在_____界別分組登記為個人投票人，並有資格如此登記。

(注意：團體投票人的獲授權代表不是該界別分組的登記投票人。)

I am a registered individual voter in the _____ subsector and am eligible to be so registered.

(Note: An Authorized Representative of a corporate voter is NOT a registered voter of that subsector.)

☐ 我並未在任何界別分組登記為個人投票人。

I am not a registered individual voter in any of the subsectors.

(第 10 項只適用於鄉議局界別分組的準候選人。)

(Item 10 is applicable to prospective candidates of Heung Yee Kuk Subsector only.)

	是 am	不是 am not	
10. 我 I	<input type="checkbox"/>	<input type="checkbox"/>	鄉議局的主席或副主席，或鄉議局議員大會的當然議員、特別議員或增選議員。 the Chairman or a Vice-Chairman of the Heung Yee Kuk, or the Ex-Officio, Special or Co-opted Councillor of the Full Council of the Heung Yee Kuk.

(第 11 項只適用於港九分區委員會、地區撲滅罪行委員會及地區防火委員會委員的代表界別分組的準候選人。)

(Item 11 is applicable to prospective candidates of Representatives of Members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon Subsector only.)

	是 am	不是 am not	
11. 我 I	<input type="checkbox"/>	<input type="checkbox"/>	以下港九各區（即中西區、灣仔區、南區、東區、油尖旺區、深水埗區、九龍城區、黃大仙區及觀塘區）任何一區設立的分區委員會、地區撲滅罪行委員會及地區防火委員會的委員。 a member of the Area Committee, District Fight Crime Committee and District Fire Safety Committee established in any of the Hong Kong and Kowloon Districts (i.e. Central and Western District, Wan Chai District, Southern District, Eastern District, Yau Tsim Mong District, Sham Shui Po District, Kowloon City District, Wong Tai Sin District and Kwun Tong District).

(第 12 項只適用於新界分區委員會、地區撲滅罪行委員會及地區防火委員會委員的代表界別分組的準候選人。)

(Item 12 is applicable to prospective candidates of Representatives of Members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories Subsector only.)

	是 am	不是 am not	
12. 我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>以下新界各區（即荃灣區、屯門區、元朗區、北區、大埔區、西貢區、沙田區、葵青區及離島區）任何一區設立的分區委員會、地區撲滅罪行委員會及地區防火委員會的委員。</p> <p>a member of the Area Committee, District Fight Crime Committee and District Fire Safety Committee established in any of the New Territories Districts (i.e. Tsuen Wan District, Tuen Mun District, Yuen Long District, North District, Tai Po District, Sai Kung District, Sha Tin District, Kwai Tsing District and Islands District).</p>

第二節：與某一界別分組的密切聯繫

Section 2 : Substantial Connection with a Particular Subsector

13. ☐ 我認為自己與_____界別分組有密切聯繫。
就此，我提供下列資料以茲證明有關聯繫 —

I regard myself as having a substantial connection with the _____ subsector. In this connection, I provide the following information to establish such a connection -

- (a) ☐ 就業詳情（包括自僱） —
Employment details (including self-employment) -

日期 Period	受僱機構名稱 Name of Employment Establishment	業務性質 Nature of Business	職位 Position Held

(b) ☐ 我擁有下列會籍或專業資格 —

I am in possession of the following membership or qualification -

會籍或專業資格：_____

Membership or qualification

取得會籍或專業資格的日期：_____

Date of acquiring membership or qualification

(c) ☐ 我現時是以下機構之一

I am currently

(1) ☐ 董事
a director

(2) ☐ 合夥人
a partner

(3) ☐ 獨資經營者
the sole proprietor

(4) ☐ *管理／執行委員會之成員
a member of the *management/ executive committee

(5) ☐ 行政總監
the chief executive

(6) ☐ 高級管理人員（請在以下列明職位）
a member of the senior management (please specify the post below)

(7) ☐ 屬於管理階層或與管理有關連的人士（請在以下列明）
a person connected with the management or is part of the management
(please specify below)

of the following organization -

(d) ☐ 我自從_____（日期）起，是下述職工會的職員 —
I have been an officer of the following trade union since _____(date) -

(e) *(c) 段所述之機構／(d) 段所述之職工會 —

The *organization stated in (c)/ trade union stated in (d) above has been –

(i) ☐ 由_____（日期）起，已成為_____

（《行政長官選舉條例》（第 569 章）附表第 39A 至第 39ZJ 條所列組成有關選舉委員會各個界別分組之有關指明實體之名稱（如適用者）〔請參閱說明第 12 及 13 項〕）的會員。

a member of the _____

(name of relevant association or body comprising the specified entities of the relevant subsector as listed in sections 39A to 39ZJ of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (if applicable) [please see Notes 12 and 13]) since _____ (date).

(ii) ☐ 由_____（日期）起已開始經營。
carrying on its business since _____ (date).

(iii) ☐ 由_____（日期）起，已根據
職工會條例（第 332 章）註冊。
registered under the Trade Unions Ordinance (Cap. 332) since _____
_____ (date).

14. ☐ 其他有關資料 —

Any other relevant information -

15. ☐ 我並沒有失去與上述界別分組的密切聯繫。

I have not ceased to have substantial connection with the above-mentioned subsector.

* 請刪去不適用者

Please delete whichever is inapplicable

第三部分：申請人是否喪失提名資格

(請提供以下資料，並在合適方格內加「✓」號。)

PART III WHETHER APPLICANT IS DISQUALIFIED FROM BEING NOMINATED (Please provide the following information and tick the appropriate boxes.)

		是 am	不是 am not	
16.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	擔任《行政長官選舉條例》(第 569 章)附表第 5A 至 5H 條提述的指明職位或獲指定登記為選舉委員會當然委員的人。 (見說明第 13 項) a holder of the specified office mentioned in sections 5A to 5H of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or a person who is designated to be registered as an ex-officio member of the Election Committee. (see Note 13)
17.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	被《行政長官選舉條例》(第 569 章)附表第 5P 至 5T、6 及 6A 條提述的指定團體挑選為獲提名人。(見說明第 13 項) a nominee of a designated body mentioned in sections 5P to 5T, 6 and 6A of the Schedule to the Chief Executive Election Ordinance (Cap. 569). (see Note 13)

		曾經 have	不曾 have not	
18.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	自 2016 年 9 月 19 日起被裁定違反《選舉(舞弊及非法行為)條例》(第 554 章)作出舞弊行為或非法行為。 since 19 September 2016, been convicted of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).
19.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	自 2016 年 9 月 19 日起被裁定觸犯《防止賄賂條例》(第 201 章)第 II 部所訂的罪行。 since 19 September 2016, been convicted of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201).

		曾經 have	不曾 have not	
20.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>自 2016 年 9 月 19 日起被裁定觸犯根據《選舉管理委員會條例》(第541 章)訂立並正有效的規例所訂明的任何罪行。</p> <p>since 19 September 2016, been convicted of any offence prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).</p>
21.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>自 2016 年 8 月 12 日起因拒絕或忽略作出《行政長官選舉條例》(第 569 章)附表第 18(3) 條提述的指明誓言而根據法律離任或喪失就任的資格。</p> <p>since 12 August 2016, vacated an office, or have been disqualified from entering an office, under the law, for declining or neglecting to take a specified oath mentioned in section 18(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).</p>
22.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>自 2016 年 8 月 12 日起被按照任何法律宣告、宣布或裁定為違反《行政長官選舉條例》(第 569 章)附表第 18(3) 條提述的指明誓言，或不符合擁護《基本法》、效忠中華人民共和國香港特別行政區的法定要求和條件。</p> <p>since 12 August 2016, been declared or decided in accordance with any law to be in breach of a specified oath mentioned in section 18(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), or to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.</p>

		曾經 have been	未曾 have not been	
23.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>根據《長期監禁刑罰覆核條例》(第 524 章)獲釋出獄。</p> <p>released from imprisonment under the Long-Term Prison Sentences Review Ordinance (Cap. 524).</p>

		是 am	不是 am not	
24.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>在提名當日或選舉當日正在服監禁刑。</p> <p>serving a sentence of imprisonment on the date of nomination or on the date of the election.</p>
25.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>現時是根據《精神健康條例》（第 136 章）被裁斷為因精神上無行為能力而無能力處理和管理自己的財產及事務的人。</p> <p>found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering my property and affairs.</p>
26.	我 I	<input type="checkbox"/>	<input type="checkbox"/>	<p>中華人民共和國或任何其他國家或地區的武裝部隊的成員。</p> <p>a member of the armed forces of the People's Republic of China or any other country or territory.</p>

第四部分： 補充資料

PART IV SUPPLEMENTARY INFORMATION

27. 除上述所申述的資料外，我提供以下有關我特殊情況的資料以協助提名顧問委員會考慮我的申請 —

In addition to the information set out above, I provide the following information pertaining to my special circumstances which may assist the Nominations Advisory Committee in considering my application –

（附註：根據《選舉管理委員會（提名顧問委員會（選舉委員會））規例》（第 541H 章）第 2(2)(a)條訂明，該規例並不授權予或規定提名顧問委員會就關乎《行政長官條例》（第 569 章）附表第 17A 或 19 條下的規定的事宜，提供意見。）

(Note: According to section 2(2)(a) of the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541H), the Regulation does not empower or require a Nominations Advisory Committee to advise on any matter relating to any requirements under section 17A or 19 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).)

第五部分：申請人之聲明

PART V DECLARATION BY APPLICANT

28. 我確認上文第一至第四部分所列有關我的資料乃屬真實正確。

I hereby confirm that the particulars contained in PARTS I to IV above in respect of me are true and correct.

29. 我現向提名顧問委員會就我在所述的界別分組選舉中被提名為候選人的資格要求提供意見。我明白如我沒有遵從提名顧問委員會所提出的要求，提供任何資料、詳情或證據、或在指定時間和地點出席會見提名顧問委員會，提名顧問委員會可拒絕考慮我的申請或就我的申請提供任何意見。

I hereby seek advice from the Nominations Advisory Committee as to whether I am eligible to be nominated as a candidate for the said subsector election. I understand that the Nominations Advisory Committee may refuse to consider or give any advice on my application if I fail to make available any information, particulars or evidence, or to present myself before the Nominations Advisory Committee at the specified time and place as requested by it.

日期：_____ 簽署：_____

Date

Signature

**填寫準候選人向提名顧問委員會要求提供意見的申請說明
及候選人的資格與喪失資格說明**

**Notes on How to Complete an Application by a Prospective Candidate
to a Nominations Advisory Committee for Advice
and Notes on Eligibility and Disqualifications for Candidates**

1. 準候選人只可以本指明的申請表（REO/NAC/1b/2021ECSSE(SF)），就他／她是否在選舉委員會界別分組一般選舉有資格獲提名為候選人或是否喪失該資格，向提名顧問委員會（「顧問委員會」）要求提供意見。

A prospective candidate may apply, only by using this specified application form (REO/NAC/1b/2021ECSSE(SF)), for the advice of a Nominations Advisory Committee (“the Committee”) as to whether he/she is eligible to be, or is disqualified from being, nominated as a candidate at the Election Committee Subsector Ordinary Elections.

2. 準候選人只可以就選舉委員會某一界別分組選舉向顧問委員會提出一次申請。

（備註：雖然有意要求提供意見的準候選人只能就某一選舉委員會界別分組選舉提出一次申請，但他／她可就多於一個選舉委員會界別分組選舉提出申請。）

A prospective candidate may make only one application to the Committee in respect of a particular Election Committee Subsector Election.

(NOTE: While a prospective candidate may apply for advice only once in respect of a particular Election Committee Subsector Election, he/she may apply for advice in respect of more than one Election Committee Subsector Election.)

3. 有關申請必須由 **2021 年 7 月 2 日至 8 月 2 日（包括首尾兩日）** —

- (a) 以郵遞方式寄往**選舉事務處**（地址：九龍觀塘觀塘道 392 號創紀之城 6 期 23 樓 2301-03 室），或以圖文傳真方式（**傳真號碼：2503 9062**）送抵總選舉事務主任；或
- (b) 以面交方式送抵總選舉事務主任（地址：九龍觀塘觀塘道 392 號創紀之城 6 期 23 樓 2301-03 室**選舉事務處**）。

The application should be -

- (a) sent to the **Registration and Electoral Office** by post (**Address: Unit 2301-03, 23/F, Millennium City 6, 392 Kwun Tong Road, Kwun Tong, Kowloon**) or by facsimile transmission (**Fax no.: 2503 9062**) to be received by the Chief Electoral Officer; or
- (b) served on the Chief Electoral Officer personally (**Address: Registration and Electoral Office, Unit 2301-03, 23/F, Millennium City 6, 392 Kwun Tong Road, Kwun Tong, Kowloon**) **between 2 July 2021 and 2 August 2021 (both days inclusive).**

4. 顧問委員會不會考慮在上述限期之後送抵總選舉事務主任的申請。
The Committee **will not** consider any application for advice which is received by the Chief Electoral Officer after the expiry of the above period.
5. 顧問委員會在提供意見前，可要求申請人在指明限期內，向顧問委員會提供有關其擬參選事宜的資料、詳情及證據。
The Committee may, before giving its advice, request the applicant to make available to it within a specified period any information, particulars and evidence relating to his/her intended candidature.
6. 顧問委員會亦可在提供意見前，要求申請人在指明的時間和地點出席會見顧問委員會，協助顧問委員會考慮其申請。申請人可在指明的時間及地點就其擬參選事宜，親自或以書面授權任何人，向顧問委員會提出申述。
The Committee may also before giving its advice request the applicant to present himself/herself before the Committee at a specified time and place to assist the Committee in the consideration of his/her application. The applicant may at the specified time and place make representations relating to his/her intended candidature to the Committee personally or through any person authorized by him/her in writing.
7. 如申請人沒有向顧問委員會提供所要求的任何資料、詳情或證據，或沒有在指明的時間和地點出席會見顧問委員會，顧問委員會可—
(a) 拒絕進一步考慮其申請，或拒絕就其申請提供任何意見；或
(b) 顧及以下兩種或其中一種情況（視何者適用而定），提供有所保留的意見—
(i) 顧問委員會不獲提供任何資料、詳情或證據，或（如情況適當）所有上述項目；
(ii) 申請人沒有在指明的時間和地點出席會見顧問委員會。
Where an applicant does not make available any information, particulars or evidence requested by the Committee, or fails to present himself/herself before the Committee at the specified time and place in response to a request, the Committee may -
(a) refuse to consider the application any further or to give any advice in relation thereto; or
(b) give qualified advice on the application having regard to either or both of the following, as may be appropriate -
(i) the fact that any information, particulars or evidence, or where appropriate, all of them, were not available to it;
(ii) the failure of the applicant to present himself/herself before the Committee at the specified time and place.
8. 顧問委員會向申請人所提供的意見，將以書面形式在 **2021 年 8 月 6 日** 或之前送交申請人。
The Committee's advice to an applicant shall be in writing and will be sent to the applicant on or before **6 August 2021**.

9. 凡顧問委員會決定拒絕進一步考慮某申請或拒絕提供任何意見，顧問委員會將在 **2021 年 8 月 6 日** 或之前以書面通知該申請人。

Where the Committee decides to refuse to consider an application any further or to give any advice, it will notify the applicant concerned in writing on or before **6 August 2021**.

10. 根據《選舉管理委員會（提名顧問委員會（選舉委員會））規例》（第 541H 章）第 2(2)(a) 條訂明，該規例並不授權予或規定顧問委員會就關乎《行政長官條例》（第 569 章）附表第 17A 或 19 條下的規定的事宜，提供意見。

According to section 2(2)(a) of the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541H), the Regulation does not empower or require a Committee to advise on any matter relating to any requirements under section 17A or 19 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).

11. 申請人在填寫此申請表時如有任何問題，請在辦公時間內致電選舉事務處的查詢熱線 2891 1001。

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

12. 根據《行政長官選舉條例》（第 569 章）附表第 17、17A、18、18A、19 及 20 條，就選舉委員會界別分組選舉有關獲提名為候選人的資格及喪失作為候選人的資格的規定載列如下，以作參考—

Eligibility for and disqualification from being nominated as a candidate in respect of the Election Committee Subsector Elections are stipulated in sections 17, 17A, 18, 18A, 19 and 20 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), which are reproduced below for reference -

第 17 條 獲提名為界別分組選舉中的候選人的資格

- (1) 符合以下條件的人方有資格獲提名為界別分組選舉中的候選人—

- (a) 他年滿 18 歲；
- (b) 他已登記為地方選區的選民並有資格如此登記；及
- (c) 他—
 - (i) 已登記為該界別分組的投票人並有資格如此登記；或
 - (ii) 令該界別分組的選舉主任信納他與該界別分組有密切聯繫。

- (2) 以下人士沒有資格獲提名為界別分組一般選舉中的候選人—

- (a) 第 7(1) 條所指的指定團體所提名的人；
- (b) 指明人士(不論該人士是否選舉委員會當然委員)；或
- (c) 指定人士(不論該人士是否選舉委員會當然委員)。

- (3) 以下人士沒有資格獲提名為界別分組補選中的候選人—

- (a) 第 7(2) 條所指的指定團體所提名的人，而根據該條作出提名的限期與該補選的提名期完全或部分重疊；或
- (b) 選舉委員。

Section 17 Who is eligible to be nominated as a candidate at a subsector election

- (1) A person is eligible to be nominated as a candidate at a subsector election for a subsector only if the person -
 - (a) has reached 18 years of age;
 - (b) is both registered and eligible to be registered for a geographical constituency; and
 - (c) either -
 - (i) is both registered and eligible to be registered as a voter for that subsector; or
 - (ii) satisfies the Returning Officer for the subsector that the person has a substantial connection with the subsector.
- (2) A person is not eligible to be nominated as a candidate at a subsector ordinary election if the person is -
 - (a) a nominee of a designated body under section 7(1);
 - (b) a specified person (whether or not the person is an ex-officio member of the Election Committee); or
 - (c) a designated person (whether or not the person is an ex-officio member of the Election Committee).
- (3) A person is not eligible to be nominated as a candidate at a subsector by-election if -
 - (a) the person is a nominee of a designated body under section 7(2) and the period during which the nomination under that section is to be made and the nomination period for the by-election coincide or partly coincide; or
 - (b) the person is a member of the Election Committee.

第17A條 提名的有效性取決於聲明

如某人根據第 17 條獲提名為界別分組選舉中的候選人，則除非以下規定獲符合，否則該項提名屬無效—

- (a) 有關提名表格載有一項聲明，表明該人會擁護《基本法》和保證效忠中華人民共和國香港特別行政區；及
- (b) 該聲明由該人簽署。

Section 17A Validity of nomination contingent on declaration

A nomination of a person as a candidate at a subsector election under section 17 is not valid unless -

- (a) the nomination form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and
- (b) the declaration is signed by the person.

第18條 喪失作為界別分組候選人的資格

- (1) 任何人如有以下情況，即喪失獲提名為界別分組選舉中的候選人和當選為選舉委員的資格—
- (a) 已不再與有關界別分組有密切聯繫；
 - (b) 已不再登記為地方選區的選民或不再有資格如此登記；
 - (c) 已在香港或任何其他地方被判處死刑或監禁（不論如何稱述），但—
 - (i) 既未服該刑罰或主管當局用以替代該項刑罰的其他懲罰；而
 - (ii) 亦未獲赦免¹；
 - (d) 在提名當日或在該選舉當日正在服監禁刑；
 - (e) 在不局限(c)段的原則下，在緊接該選舉當日前的5年內被裁定或曾被裁定犯以下罪行—
 - (i) 在違反《選舉（舞弊及非法行為）條例》（第554章）的情況下作出舞弊行為或非法行為；
 - (ii) 《防止賄賂條例》（第201章）第II部所訂的罪行；或
 - (iii) 《選管會規例》所訂明的任何罪行；
 - (f) 當其時是根據《精神健康條例》（第136章）被裁斷為因精神上無行為能力而無能力處理和管理其財產及事務；或
 - (g) 是中華人民共和國或任何其他國家或地區的武裝部隊的成員。
- (2) 在不損害《選舉管理委員會條例》（第541章）第13(1)(c)條的原則下，任何人如在獲提名當日前的5年內有以下情況，亦即喪失提名為界別分組選舉中的候選人和當選為選舉委員的資格—
- (a) 該人因拒絕或忽略作出指明誓言而根據法律離任，或喪失就任的資格；或
 - (b) 該人被按照任何法律宣告、宣布或裁定為—
 - (i) 違反指明誓言；或
 - (ii) 不符合擁護《基本法》、效忠中華人民共和國香港特別行政區的法定要求和條件。
- (3) 在本條中—
- 指明誓言** (specified oath) 指根據法律作出的以下誓言：宣誓者會擁護《基本法》、效忠中華人民共和國香港特別行政區。

Section 18 When a person is disqualified from being a subsector candidate

- (1) A person is disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if the person -
- (a) has ceased to have a substantial connection with the subsector concerned;
 - (b) has ceased to be registered or eligible to be registered as an elector for a geographical constituency;
 - (c) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either -
 - (i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or

¹ 原訟法庭於2012年6月21日就黃軒瑋及另一人訴律政司司長（高院憲法及行政訴訟2012年第51及54號）給予書面判詞，裁定《立法會條例》（第542章）第39(1)(b)條（與《行政長官選舉條例》（第569章）附表第18(1)(c)條相若）違憲。政府已於2012年7月12日宣布決定不會就有關判決提出上訴。日後的選舉委員會界別分組選舉會按屆時生效的法例進行。

- (ii) received a free pardon¹;
 - (d) on the date of nomination or on the date of the subsector election, is serving a sentence of imprisonment;
 - (e) without limiting paragraph (c), where the subsector election is to be held or is held within 5 years after the date of the person's conviction, is or has been convicted -
 - (i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
 - (ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
 - (iii) of any offence prescribed by the EAC Regulations;
 - (f) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
 - (g) is a member of the armed forces of the People's Republic of China or any other country or territory.
- (2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if, within the 5 years before the date of nomination -
- (a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or
 - (b) the person has been declared or decided in accordance with any law -
 - (i) to be in breach of a specified oath; or
 - (ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.
- (3) In this section -
- specified oath*** (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

¹ The Court of First Instance delivered written judgment on 21 June 2012 on *Wong Hin Wai & another v Secretary for Justice* (HCAL 51&54/2012) and declared section 39(1)(b) of the Legislative Council Ordinance (Cap. 542) (which is similar to section 18(1)(c) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)) to be unconstitutional. On 12 July 2012, the Government announced its decision not to appeal against the judgment. The future Election Committee Subsector Elections will be held in accordance with the prevailing electoral laws.

第18A條 喪失作為若干界別分組的候選人的資格

- (1) 本條不損害第18條。
- (1A) 本條適用於以下界別分組—
 - (a) 鄉議局界別分組；
 - (b) 港九地區委員會界別分組；及
 - (c) 新界地區委員會界別分組。
- (2) 任何人如並非某界別分組的指明實體，即喪失—
 - (a) 獲提名為就該界別分組舉行的界別分組選舉中的候選人的資格；或
 - (b) 當選為代表該界別分組的選舉委員的資格。

Section 18A When a person is disqualified from being a candidate for certain subsectors

- (1) This section is without prejudice to section 18.
- (1A) This section applies to the following subsectors -
 - (a) the Heung Yee Kuk subsector;
 - (b) the Hong Kong and Kowloon District Committees subsector; and
 - (c) the New Territories District Committees subsector.
- (2) A person is disqualified from -
 - (a) being nominated as a candidate at a subsector election for a subsector; or
 - (b) being elected as a member of the Election Committee representing the subsector,if the person is not a specified entity of the subsector.

第19條 候選人須繳存按金

- (1) 除非任何人已以或已由他人代其以《選管會規例》所訂明的方式，向有關的界別分組的選舉主任繳存按金，否則該人不得獲有效提名為該界別分組選舉中的候選人。
- (2) 按金的款額須為《規例》為施行本條而訂明者，並須按該等《規例》的規定處置。

Section 19 Candidate to lodge deposit

- (1) A person is validly nominated as a candidate for a subsector at a subsector election only if a deposit has, in the manner prescribed by the EAC Regulations, been lodged with the Returning Officer for the subsector concerned by or on behalf of the person.
- (2) The deposit is to be of such an amount as prescribed by the regulations for the purposes of this section and is to be disposed of as provided by the regulations.

第 20 條 任何人不得在多於一個界別分組中獲提名

在某人已在界別分組選舉中獲提名為某界別分組候選人之時，他即沒有資格在同日舉行或提名期與該選舉完全或部分重疊的另一界別分組選舉中獲提名為候選人。

Section 20 Person not to be nominated for more than one subsector

A person who is nominated as a candidate for a subsector at a subsector election is not eligible to be nominated as a candidate at another subsector election that is to be held on the same day or if the nomination periods for the elections coincide or partly coincide.

13. 有關選舉委員會的組成、指明職位及各個界別分組的指明實體請參閱《行政長官選舉條例》（第 569 章）附表第 2、5A 至 5H 及 39A 至 39ZJ 條（網址：<https://www.elegislation.gov.hk/hk/cap569>）或掃描以下二維碼。

Please refer to sections 2, 5A to 5H, and 39A to 39ZJ of the Schedule to the Chief Executive Election Ordinance (Cap. 569) for the composition of the Election Committee, specified offices and the specified entities of subsectors (Website: <https://www.elegislation.gov.hk/hk/cap569>) or scan the below QR code.



14. 請注意下列有關在此申請表提供個人資料的說明—

Please note the following with regard to the personal data supplied in this application form -

(a) **資料用途**

就此申請表提供的個人及其他有關的資料，會供選舉管理委員會、顧問委員會、選舉事務處、選舉主任及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 application form will be used by the Electoral Affairs Commission, the Committee, the Registration and Electoral Office, the Returning Officers, and other related government departments for election-related purposes.

(b) **資料轉介**

有關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 information concerned may be provided to other authorized departments or persons, including but not limited to the law courts for election-related purposes.

(c) **索閱個人資料**

你有權根據《個人資料（私隱）條例》（第 486 章）的條文要求索閱及改正所提供的個人資料。

Access to Personal Data

You have a right to request access to, and correction of, the personal data supplied in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **查詢**

關於透過本申請表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 application form (including requests for access to and corrections of personal data) should be addressed to the Chief Electoral Officer (Address: 10th Floor, Harbour Centre, 25 Harbour Road, Wan Chai, Hong Kong).

選舉管理委員會

2021 年 6 月

Electoral Affairs Commission

June 2021