

保密聲明

DECLARATION OF SECRECY

《選舉程序（行政長官選舉）規例》（第 541J 章）第 69 條
Section 69 of the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J)

2022 年行政長官選舉 2022 CHIEF EXECUTIVE ELECTION

選舉日期：2022 年 5 月 8 日

Date of Election: 8 May 2022

[附註：請用正楷填寫此聲明，並在填寫此聲明前參閱《填寫保密聲明說明》。]

[Note: Please use BLOCK LETTERS to complete this declaration and read the "Notes on Making a Declaration of Secrecy" before completing this declaration.]

本人 _____

I _____ (姓名 Name)

現居於 _____

of _____ (住址 Residential Address)

謹以至誠鄭重聲明：在上述選舉中，本人會維持投票的保密性，以及不會披露任何選民是否或如何投票或作出任何《選舉程序（行政長官選舉）規例》（第 541J 章）第 27(2)及 70(1)條中所禁止的行為。本人已閱讀該等條文。

solemnly and sincerely declare that, at the above election, I will maintain the secrecy of the poll and will not disclose whether or how any elector has voted or do anything forbidden by sections 27(2) and 70(1) of the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J), which I have read.

本人謹憑藉《宣誓及聲明條例》（第 11 章）衷誠作出此項鄭重聲明，並確信其為真確無訛。

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

(聲明人簽署 Signature of Declarant)

此項聲明是於 _____ 在香港 _____

Declared on _____ (日期 Date) at _____

(作出聲明的地點 Place where the declaration is made) 作出。
in Hong Kong.

在本人面前作出，
Before me,

簽署
Signature

姓名（正楷）
Name (in BLOCK LETTERS)

職銜
Designation

*監誓員／選舉管理委員會成員／選舉主任／
總選舉事務主任／太平紳士／

持有執業證書的律師

*Commissioner for Oaths / member of the Electoral Affairs
Commission / Returning Officer / Chief Electoral Officer /
Justice of the Peace / Solicitor with a practising certificate

* 請刪去不適用者。

Please delete whichever is inapplicable.

填寫保密聲明說明

Notes on Making a Declaration of Secrecy

1. 此聲明內提及的選舉是指根據《行政長官選舉條例》（第 569 章）第 23 或 24 條進行的投票。就有競逐的選舉而言，選舉日期是指首三輪投票的日期。根據《選舉程序（行政長官選舉）規例》（第 541J 章）第 17(3) 條，在有競逐的選舉中，如須進行第四輪或其後任何一輪投票，便會於翌日進行，如有需要，則須日復一日地進行，直至有候選人當選為止。此聲明適用於任何一輪投票。
The election referred to in this declaration is for a poll conducted under section 23 or 24 of the Chief Executive Election Ordinance (Cap. 569). For a contested election, the date of election is for the first three rounds of voting. In accordance with section 17(3) of the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J), if in a contested election the voting has to proceed to the fourth or any subsequent round, it will be held on the following day and, if necessary, day after day thereafter until a candidate is returned. This declaration is applicable to any round of voting.

2. 每位進入投票站或點票站的人士（包括候選人、選舉代理人、監察投票代理人、監察點票代理人、選舉主任、助理選舉主任、負責投票或點票的工作人員及任何獲授權人士）應以此指明表格作出保密聲明。於投票或點票站執勤之警務人員及民眾安全服務隊隊員，及在專用投票站執勤的懲教署人員或任何執法機關人員除外。此聲明之目的是要所有獲授權進入或逗留投票站或點票站的人士，確保維護及協助維護投票的保密性。除在投票站或點票站執勤的警務人員、懲教署人員、任何執法機關人員及民眾安全服務隊隊員外，任何人士除非能證明已作此保密聲明，否則不會獲准進入或逗留投票站或點票站。

A declaration of secrecy as in this specified form should be made by every person (including candidates, election agents, polling agents, counting agents, Returning Officer, Assistant Returning Officers, officers on polling or counting duties and any other authorized persons) entering a polling station or a counting station. Exception is only made for a police officer or a member of the Civil Aid Service on duty at a polling or counting station, and an officer of the Correctional Services Department or an officer of any law enforcement agency on duty at a dedicated polling station. The purpose of this declaration is to ensure that all persons authorized to enter or stay in a polling station or the counting station must maintain and assist in maintaining the secrecy of the ballot. Unless proof is given that such declaration has been made, no person except a police officer, an officer of the Correctional Services Department, an officer of any law enforcement agency or a member of the Civil Aid Service on duty at a polling station or the counting station will be allowed to enter or stay in a polling station or the counting station.

3. 聲明可於監誓員、選舉管理委員會成員、選舉主任、總選舉事務主任、太平紳士或持有執業證書的律師面前作出。

The declaration may be made before a Commissioner for Oaths, a member of the Electoral Affairs Commission, the Returning Officer, the Chief Electoral Officer, a Justice of the Peace or a solicitor with a practising certificate.

4. 在進入投票站或點票站時請攜同此聲明，並於有必要時出示以供檢查。
Please bring this declaration with you when entering a polling station or a counting station and produce it for inspection whenever required.

5. 如你在填寫此聲明時有任何問題，請在辦公時間內致電選舉事務處的查詢熱線 2891 1001。
If you have any questions in completing this declaration, please call the Enquiry Hotline of the Registration and Electoral Office at 2891 1001 during office hours.

6. 以下列載《選舉程序（行政長官選舉）規例》（第 541J 章）第 27 及 70 條。填寫及作出聲明前請先細閱。

The following is a reproduction of sections 27 and 70 of the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J). Please read them carefully before completing and making the declaration.

27. 投票站內的秩序

- (1) 投票站的投票站主任須維持投票站的秩序。
- (2) 任何人不得在投票時間中，於投票站內違反選舉主任、助理選舉主任、投票站主任或任何投票站人員的不得如此行事的指示而 —
 - (a) 與任何選民通信息；或
 - (b) 使用流動電話、傳呼機或任何其他通訊器材與任何其他人通訊。
- (3) 第(2)款不適用於 —
 - (a) 選管會成員；
 - (b) 選舉主任；
 - (c) 助理選舉主任；
 - (d) 總選舉事務主任；

- (e) 投票站主任；
 - (f) 投票站人員；
 - (g) 在投票站當值的公職人員；
 - (h) 在投票站執勤的民眾安全服務隊隊員；
 - (ha) 在投票站執勤的警務人員；
 - (hb) 獲選舉主任以書面授權出任聯絡人員的人；或
 - (i) 獲總選舉事務主任或選管會成員以書面授權作出第(2)款所禁止的作為的人。
- (4) 任何人不得在投票日於投票站內 —
- (a) 拍影片；
 - (b) 拍照；或
 - (c) 錄音或錄影，
- 但如獲下述人士明示准許，則屬例外 —
- (d) 選管會成員；
 - (e) 選舉主任；或
 - (f) 投票站主任。
- (5) 任何人 —
- (a) 不得在投票日於投票站內從事拉票活動；或
 - (b) 如無合理辯解，不得在投票日於投票站內展示任何關於行政長官選舉或任何候選人的宣傳物料。
- (6) 就第(5)款而言，以下作為屬“拉票”範圍內 —
- (a) (就有競逐選舉而言) 建議不投票予任何候選人；及
 - (b) (就無競逐選舉而言) 建議不投票支持候選人。
- (7) 任何人不得在投票日 —
- (a) 在投票站內不遵從選舉主任或投票站主任發出的合法指示；
 - (b) 干擾在投票站內進行的投票；
 - (c) 對在投票站內的人造成騷擾或不便；或
 - (d) 在投票站內，在其他方面行為不當。
- (7A) 如任何獲分配在專用投票站投票的選民，沒有按照第 36(1)條在沒有無故拖延的情況下投票，則選舉主任或投票站主任可命令該名選民立即離開該投票站。
- (8) 任何人如違反第(5)、(7)或(7A)款，選舉主任或投票站主任可 —
- (a) 要求該人出示其身分證以供查閱；及
 - (b) 命令該人立即離開投票站。
- (9) 任何人在根據第(8)款被要求出示其身分證時，不得不出示其身分證。
- (10) 任何人如沒有根據第(7A)或(8)款離開投票站，下述人士可將該人逐離 —
- (a) (如屬主投票站) 警務人員或獲選舉主任或投票站主任(視何者屬適當而定)以書面授權的人；或
 - (b) (如屬專用投票站) —
 - (i) 獲選舉主任或投票站主任(視何者屬適當而定)以書面授權的人；
 - (ii) 懲教署人員；或
 - (iii) 任何執法機關人員。
- (11) 根據第(10)款被逐離的人除非獲選舉主任或投票站主任明示准許，否則不得在投票日再次進入投票站。
- (12) 第(8)及(10)款所賦予的權力，不得行使以阻止任何選民投票。

27. *Order in polling station*

- (1) The Presiding Officer of a polling station shall keep order at the polling station.
- (2) No person shall —
- (a) communicate with any elector; or
 - (b) use a mobile telephone, paging machine or any other communication device to communicate with any other person,
- in a polling station during the polling hours contrary to a direction of the Returning Officer, Assistant Returning Officer, Presiding Officer or any polling officer not to do so.
- (3) Subsection (2) does not apply to —
- (a) a member of the Commission;
 - (b) the Returning Officer;
 - (c) an Assistant Returning Officer;
 - (d) the Chief Electoral Officer;
 - (e) a Presiding Officer;
 - (f) a polling officer;
 - (g) a public officer on duty at the polling station;
 - (h) a member of the Civil Aid Service on duty at the polling station;
 - (ha) a police officer on duty at the polling station;
 - (hb) a person authorized in writing by the Returning Officer to act as a liaison officer; or
 - (i) a person authorized by the Chief Electoral Officer or a member of the Commission in writing to do an act prohibited by subsection (2).
- (4) No person shall —
- (a) film;
 - (b) take photograph; or

- (c) make any audio or video recording, in a polling station on the polling date without the express permission of –
- (d) a member of the Commission;
- (e) the Returning Officer; or
- (f) the Presiding Officer.
- (5) No person shall –
 - (a) engage in canvassing for votes; or
 - (b) without reasonable excuse, display any propaganda material relating to any candidate or the election of the Chief Executive, in a polling station on the polling date.
- (6) For the purposes of subsection (5), the following acts shall fall within “canvassing for votes” –
 - (a) in the case of a contested election, suggesting not to vote for any candidate; and
 - (b) in the case of an uncontested election, suggesting not to vote in support of the candidate.
- (7) No person shall –
 - (a) fail to comply with a lawful direction given by the Returning Officer or the Presiding Officer;
 - (b) disrupt the poll;
 - (c) disturb or cause inconvenience to any person; or
 - (d) otherwise misconduct himself, in a polling station on the polling date.
- (7A) If an elector who is allocated to vote at a dedicated polling station fails to cast his vote without undue delay in accordance with section 36(1), the Returning Officer or the Presiding Officer may order him to leave the polling station immediately.
- (8) If a person contravenes subsection (5), (7) or (7A), the Returning Officer or the Presiding Officer may –
 - (a) require the person to produce his identity card for inspection; and
 - (b) order the person to leave the polling station immediately.
- (9) No person shall fail to produce his identity card when required to do so under subsection (8).
- (10) If a person fails to leave a polling station under subsection (7A) or (8), he may be removed –
 - (a) in the case of the main polling station, by a police officer or by a person authorized in writing by the Returning Officer or the Presiding Officer, as may be appropriate; or
 - (b) in the case of a dedicated polling station, by –
 - (i) a person authorized in writing by the Returning Officer or the Presiding Officer, as may be appropriate;
 - (ii) an officer of the Correctional Services Department; or
 - (iii) an officer of any law enforcement agency.
- (11) A person who is removed under subsection (10) may not enter the polling station again on the polling date without the express permission of the Returning Officer or the Presiding Officer.
- (12) The powers conferred by subsections (8) and (10) shall not be so exercised as to prevent an elector from voting.

70. 保密

- (1) 任何人不得 –
 - (a) (除第(2)款另有規定外) 向他人透露某選民是否已申領選票或已投票;
 - (aa) (除第(2)款另有規定外) 向他人透露某受羈押選民的身分;
 - (b) 向另一人傳達在點票時取得的 –
 - (i) (如屬有競逐選舉) 關於某一候選人在某一選票上得票的任何資料; 或
 - (ii) (如屬無競逐選舉) 關於在某一選票上所示的是否支持候選人的選擇的任何資料;
 - (c) 在某選民填劃選票時干擾他;
 - (d) 干擾或企圖干擾任何投票箱、選票 (包括根據第 50(1)條屬無效的選票)、正式委員登記冊的印刷本、核實報表或根據第 51A(1)條擬備的報表;
 - (e) 在未經選管會或選舉主任准許的情況下, 以任何方法或企圖以任何方法在投票站、禁止拉票區或禁止逗留區內取得的 –
 - (i) (如屬有競逐選舉) 關於任何選民將會投票予哪名候選人或已投票予哪名候選人的任何資料; 或
 - (ii) (如屬無競逐選舉) 關於任何選民將會作出的或已作出的是否支持候選人的選擇的任何資料;
 - (f) 向另一人傳達在投票站內取得的 –
 - (i) (如屬有競逐選舉) 關於任何選民將會投票予哪名候選人或已投票予哪名候選人的任何資料; 或
 - (ii) (如屬無競逐選舉) 關於任何選民將會作出的或已作出的是否支持候選人的選擇的任何資料; 或
 - (g) 直接或間接誘使任何選民展示他填劃的選票, 以致任何人得知 –
 - (i) (如屬有競逐選舉) 關於任何選民已投票予哪名候選人的任何資料; 或
 - (ii) (如屬無競逐選舉) 關於任何選民已作出的是否支持候選人的選擇的任何資料。
- (2) 第(1)(a)及(aa)款不適用於 –
 - (a) 任何獲法律授權的作為; 或
 - (b) 在任何正在調查下述法例所訂罪行的警務人員或廉政公署人員指示下作出的事情 –
 - (i) 《選舉 (舞弊及非法行為) 條例》 (第 554 章);
 - (ii) 《防止賄賂條例》 (第 201 章) 第 3、4 及 8 條;
 - (iii) 《廉政公署條例》 (第 204 章) 第 13B 條; 或

(iv) 本條例。

70. Secrecy

- (1) No person shall –
- (a) subject to subsection (2), divulge to any person whether an elector has or has not applied for a ballot paper or voted;
 - (aa) subject to subsection (2), divulge to any other person the identity of an elector in custody;
 - (b) communicate to another person any information obtained at the counting of the votes as to –
 - (i) in the case of a contested election, the candidate for whom a vote has been given on any particular ballot paper; or
 - (ii) in the case of an uncontested election, the choice as to whether to support the candidate on any particular ballot paper;
 - (c) interfere with an elector when he is marking the ballot paper;
 - (d) interfere with or attempt to interfere with a ballot box, a ballot paper (including a ballot paper that is not valid under section 50(1)), a copy of the final register in printed form, a statement prepared under section 51A(1) or a verification statement;
 - (e) without the permission of the Commission or the Returning Officer, obtain or attempt to obtain in any manner within a polling station, a no canvassing zone or a no staying zone information as to –
 - (i) in the case of a contested election, the candidate for whom an elector is about to vote or has voted; or
 - (ii) in the case of an uncontested election, the choice as to whether to support the candidate which an elector is about to make or has made;
 - (f) communicate to another person any information obtained in a polling station as to –
 - (i) in the case of a contested election, the candidate for whom an elector is about to vote or has voted; or
 - (ii) in the case of an uncontested election, the choice as to whether to support the candidate which an elector is about to make or has made; or
 - (g) directly or indirectly induce an elector to display a ballot paper marked by the elector so as to make known to any person any information as to –
 - (i) in the case of a contested election, the candidate for whom the elector has voted; or
 - (ii) in the case of an uncontested election, the choice as to whether to support the candidate which the elector has made.
- (2) Subsection (1)(a) and (aa) does not apply to –
- (a) any act authorized by law; or
 - (b) anything done at the direction of a police officer or an officer of the Independent Commission Against Corruption investigating an offence under –
 - (i) the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
 - (ii) sections 3, 4 and 8 of the Prevention of Bribery Ordinance (Cap. 201);
 - (iii) section 13B of the Independent Commission Against Corruption Ordinance (Cap. 204); or
 - (iv) this Ordinance.

選舉管理委員會
2022年3月
Electoral Affairs Commission
March 2022