

選舉代理人委任通知書
NOTICE OF APPOINTMENT OF ELECTION AGENT

《選舉管理委員會（選舉程序）（區議會）規例》（第 541F 章）第 26 條
Section 26 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F)

2019 年油尖旺區議會大南選區補選
2019 YAU TSIM MONG DISTRICT COUNCIL TAI NAN CONSTITUENCY BY-ELECTION

大南 Tai Nan

(選區名稱)
(Name of Constituency)

補選日期：2019 年 3 月 24 日
Date of By-election: 24 March 2019

[附註：在填寫此通知書前，請參閱《填寫選舉代理人委任通知書說明》（“說明”）。]
[Note: Before completing this notice, please read the “Notes on Completion of Notice of Appointment of Election Agent” (“Note(s)”].]

第一部分 委任（由候選人填寫）

PART I APPOINTMENT (To be completed by candidate)

1. 我為上述補選的候選人，現委任下列人士在上述補選中擔任我的選舉代理人－
I, the candidate for the above by-election, hereby appoint the following person to act as my election agent at the above by-election –

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： _____
Hong Kong Identity Card Number

聯絡電話號碼： _____
Contact Telephone Number

電郵地址： _____
E-mail Address

住址： _____
Residential Address

通訊地址： _____
Correspondence Address

（如與住址相同，請填寫“同上”）（見說明第 9(b)項）
(If same as the residential address, please write “same as above”) (see Note 9(b))

2. 我明白，我的選舉代理人可以代表我進行一切我身為候選人可根據《選舉管理委員會（選舉程序）（區議會）規例》（第 541F 章）合法進行與上述補選有關的事情，惟下列事情除外－
I understand that my election agent may do all the things on my behalf that I as the candidate can lawfully do under the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) in connection with the above by-election except the following –

- (a) 就我的提名，替我簽署提名表格或作出任何必要的聲明；
to sign the nomination form or make any requisite declaration in relation to my nomination;
- (b) 替我退出上述補選；
to withdraw my candidature at the above by-election;

- (c) 招致選舉開支（除非他／她已獲我委任為選舉開支代理人）；
to incur election expenses save where he/she has been appointed as an election expense agent by me;
- (d) 授權任何人招致選舉開支；
to authorise any person to incur election expenses;
- (e) 在位於監獄內的專用投票站內停留，但如取得懲教署署長同意，則屬例外；及
to be present in a dedicated polling station situated in a prison, unless the Commissioner of Correctional Services has given consent to the election agent's presence; and
- (f) 在位於高度設防監獄內的專用投票站內停留。
to be present in a dedicated polling station situated in a maximum security prison.
3. 我亦明白，我須對選舉代理人的所有行動負責。若我的選舉代理人失職，他／她可能觸犯《選舉（舞弊及非法行為）條例》（第 554 章）及／或其他有關法例並遭刑事檢控，我可能亦須為此負責，並承擔一切後果。
I also understand that I am responsible for all the acts of my election agent. If my election agent fails in his/her duties, he/she may contravene the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and/or other relevant legislation and be prosecuted, and I may also be held responsible for all consequences arising therefrom.
4. 我可隨時將由我簽署的書面通知書交付予有關的選舉主任，以撤銷此選舉代理人的委任。
This appointment of election agent may be revoked by me at any time by delivering to the relevant Returning Officer a notice in writing and signed by me to that effect.

候選人姓名（正楷）： _____
Name of Candidate (in BLOCK LETTERS) (姓 Surname) (名 Other name)

香港身分證號碼： _____
Hong Kong Identity Card Number

日期： _____ 候選人簽署： _____
Date Signature of Candidate

第二部分 選舉代理人接受委任及理解聲明（由選舉代理人填寫）

PART II ELECTION AGENT'S ACCEPTANCE AND UNDERSTANDING (To be completed by election agent)

5. 我的個人資料乃如上述第 1 段所列。我現接受本通知書第一部分所述之委任。
My personal particulars are shown in paragraph 1 above. I hereby accept the appointment as stated in PART I of this notice.
6. 我明白 –
I understand –
- (一) 上述第一部分第 2 段關於我作為選舉代理人的法律權限說明；
my legal authority as an election agent as stated in paragraph 2 of PART I above;
- (二) 若我失職，我可能觸犯《選舉（舞弊及非法行為）條例》（第 554 章）及／或其他有關法例並遭刑事檢控，我須承擔一切後果；及
if I fail in my duties, I may contravene the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and/or other relevant legislation and be prosecuted and I will be held responsible for all consequences arising therefrom; and
- (三) 候選人及其他獲候選人委任的代理人須遵從的規定亦適用於我。
the provisions to be observed by the candidate and other agents appointed by the candidate are also applicable to me.

選舉代理人簽署： _____
Signature of Election Agent

選舉代理人姓名（正楷）： _____
Name of Election Agent (in BLOCK LETTERS) (姓 Surname) (名 Other name)

日期： _____
Date

第三部分 證明 (由見證人填寫)

PART III ATTESTATION (To be completed by a witness)

7. 我現聲明本通知書第一部分及第二部分乃分別由候選人及選舉代理人於我見證下填寫及簽署。
I hereby declare that PARTS I and II of this notice were completed and signed by the candidate and the election agent respectively in my presence.

8. 我的個人資料如下－
My personal particulars are as follows –

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)

身分證明文件 (請註明類別及號碼) (見說明第 5 項) : _____
Identity Document (please specify Type and Number) (see Note 5)

住址 : _____
Residential Address _____

日期 : _____ 見證人簽署 : _____
Date Signature of Witness

填寫選舉代理人委任通知書說明

Notes on Completion of Notice of Appointment of Election Agent

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是次補選（不論投票是在預定日期進行或遭押後至較後日期進行）而委任。
The agent is to be regarded as being appointed for this by-election (regardless of whether the poll is to be conducted on the scheduled date or is postponed or adjourned to a later date), unless the candidate expressly indicates otherwise in the specified form.
2. 每一位候選人只可委任一名選舉代理人。凡年滿 18 歲的香港身分證持有人均可被委任為選舉代理人。候選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）為其選舉代理人。
A candidate may appoint one election agent only. Any person who is a holder of a Hong Kong Identity Card and has attained the age of 18 years may be appointed as an election agent. A candidate should not appoint 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 at the count as his/her election agent.
3. 填妥的通知書，須藉專人送遞、郵遞、電子郵件或圖文傳真方式交付予有關的選舉主任。若委任通知書於投票日提交，則不可藉郵遞方式交付予選舉主任。選舉主任接獲委任通知書後，該項委任方正式生效。
The duly completed notice must be delivered by hand, by post, by electronic mail or by facsimile transmission to the relevant Returning Officer. If the notice of appointment is given on the polling day, it must not be delivered to the Returning Officer by post. The appointment will not be effective until the notice is received by the Returning Officer.
4. 除了少數例外的事項外（請參閱本通知書第一部分第 2 段），獲正式委任的選舉代理人有權處理一切根據《選舉管理委員會（選舉程序）（區議會）規例》（第 541F 章）可由作出委任的候選人處理的與是次補選有關的事務。這些由選舉代理人採取的行動，效力與候選人親自採取的行動無異。選舉代理人須另獲候選人授權，方可招致選舉開支。
With a few exceptions (please make reference to paragraph 2 of PART I of this notice), a duly appointed election agent has the authority to do all things which can be done by the appointing candidate under the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) in connection with this by-election. Any such acts carried out by the election agent are as effective as if they had been done by the candidate himself/herself. An election agent can incur election expenses only if he/she is authorised separately by the candidate.
5. 本通知書第一部分應由候選人填寫（包括有關選舉代理人的姓名、身分證號碼及住址）及簽署。第二部分應由選舉代理人填寫及簽署。填寫及簽署第一部分及第二部分時，均須有一位見證人在場。見證人可以是任何年滿 18 歲並持有身分證明文件的人士。見證人應填寫及簽署本通知書第三部分。根據《區議會條例》（第 547 章）第 2 條，“身分證明文件”（identity document）指—
PART I of this notice should be completed (with name, identity card number and residential address of the relevant election agent given) and signed by the candidate. PART II should be completed and signed by the election agent. Both parts must be completed and signed in the presence of a witness who can be any person aged 18 years or over and in possession of an identity document. The witness is required to complete and sign PART III of this notice. According to section 2 of the District Councils Ordinance (Cap. 547), “identity document” (身分證明文件) means –
 - (a) 根據《人事登記條例》（第 177 章）向某人發出的身分證；或
an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177); or
 - (b) 在根據該條例訂立並正有效的規例下向某人發出，並證明該人獲豁免而無須根據該條例登記的文件；或
a document issued to a person under regulations in force under that Ordinance certifying that the person is exempt from being required to register under that Ordinance; or
 - (c) 向某人發出的獲選舉登記主任接受為該人的身分證明的任何其他文件。
any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person’s identity.
6. 選舉主任會向同一選區的其他候選人送交載有選舉代理人詳情的通知。他／她亦會將該通知展示於辦事處外的顯眼地方。
The Returning Officer will send to other candidates of the same constituency a notice of particulars of election agents. He/She will also display such a notice in a prominent place outside his/her office.

7. (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 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.
8. 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.

9. 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／點票站／選票分流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 Officers for the relevant polling stations/counting stations/ballot paper sorting 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。另外，選舉主任會根據《選舉管理委員會（選舉程序）（區議會）規例》（第 541F 章）第 27 條向同一選區其他候選人送交載有選舉代理人詳情（即其姓名及通訊地址）的通知，並在選舉主任辦事處外的顯眼地方，展示關於選舉代理人詳情的公告。

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. Besides, the Returning Officer will in accordance with section 27 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) send to other candidates of the same constituency a notice containing the particulars of election agents (i.e. their names and correspondence address) and display, in a prominent place outside the Returning Officer's office, a notice of the particulars of the election agents.

(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 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 relevant 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
2019 年 1 月
Electoral Affairs Commission
January 2019