

選舉代理人委任通知書

NOTICE OF APPOINTMENT OF ELECTION AGENT

《選舉程序（行政長官選舉）規例》（第 541J 章）第 12、14 及 15 條
Sections 12, 14 and 15 of the Electoral Procedure (Chief Executive Election) Regulation (Cap 541J)

2017 年行政長官選舉 2017 CHIEF EXECUTIVE ELECTION

選舉日期：2017 年 3 月 26 日
Date of Election: 26 March 2017

[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. 我是上述選舉的候選人，現委任下列人士在上述選舉中擔任我的選舉代理人 –
I, the candidate for the above election, hereby appoint the following person to act as my election agent at the above 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

地址： _____
Address

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《選舉程序（行政長官選舉）規例》（第 541J 章）合法進行與上述選舉有關的事情，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 Procedure (Chief Executive Election) Regulation (Cap 541J) in connection with the above election except the following –

- (a) 就我的提名，替我簽署提名表格或作出《行政長官選舉條例》（第 569 章）第 16(7)條或《選舉程序（行政長官選舉）規例》（第 541J 章）第 4(1)(b)條所提述的聲明；

To sign the nomination form or make any requisite declaration in relation to in section 16(7) of the Chief Executive Election Ordinance (Cap 569) or section 4(1)(b) of the Electoral Procedure (Chief Executive Election) Regulation (Cap 541J);

- (b) 我身為候選人就被提名須做的任何事情；
anything that I as the candidate am required to do in relation to my nomination;

- (c) 替我退出上述選舉；
to withdraw my candidature for the above election;

- (d) 委任選舉代理人；
to appoint an election agent;
- (e) 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);
- (f) 委任選舉開支代理人；
to appoint election expense agent(s);
- (g) 撤銷選舉代理人或選舉開支代理人的委任；
to revoke the appointment of an election agent or election expense agent;
- (h) 進入設於監獄內的專用投票站，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
- (i) 進入設於高度設防監獄內的專用投票站。
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為負責。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，我亦可能須為此負責，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送交選舉主任，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 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 接受委任（由選舉代理人填寫）

PART II ACCEPTANCE OF APPOINTMENT (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的說明；
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 6 項]：_____

Identity Document (please specify Type and Number (see Note 6))

地址：_____

Address

日期：_____

Date

見證人簽署：_____

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. 本通知書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。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，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，則日復一日地進行，直至有候選人當選為止。此通知適用於任何一輪投票。

The election referred to in this notice is 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 notice is applicable to any round of voting.
2. 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選舉（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 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.
3. 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.
4. 填妥的委任通知書，須藉專人送遞、郵遞、電子郵件或圖文傳真方式送交選舉主任。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 facsimile transmission to the 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 is not effective until the notice is received by the Returning Officer.
5. 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《選舉程序(行政長官選舉)規例》(第 541J 章) 可由作出委任的候選人處理的與是次選舉有關的事務，亦可於候選人缺席的任何時候，代表候選人採取任何與選舉有關的行動。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 Procedure (Chief Executive Election) Regulation (Cap 541J) in connection with this election. He/She may also at any time in the absence of the candidate take any steps on behalf of the candidate in connection with the 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.
6. 本通知書第一部分應由候選人填妥（包括有關選舉代理人的姓名、身分證號碼及地址）及簽署。第二部分應由選舉代理人填妥及簽署。填妥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。見證人應填妥及簽署本通知書第三部分。根據《選舉程序(行政長官選舉)規例》(第 541J 章)第 2 條，“身分證明文件”(identity document) 指—

Part I of this notice should be completed (including name, identity card number and address of the relevant election agent) 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 Electoral Procedure (Chief Executive Election) Regulation (Cap 541J), “identity document” (身分證明文件) means –

 - (a) 身分證；
an identity card;
 - (b) 在根據《人事登記條例》(第 177 章) 訂立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 made under the Registration of Persons Ordinance (Cap 177) certifying that the person is exempt from being required to register under that Ordinance; or
 - (c) 向某人發出並獲選舉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 Returning Officer as proof of the person's identity.

7. 選舉主任會向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 a notice of particulars of election agents. He/She will also display such a notice in a prominent place outside his/her office.
8. (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進入及停留在專用投票站內觀察投票情況（設於高度設防監獄的專用投票站除外）。基於保安理由：
For each candidate, only one of the candidate, election agent or polling agent may be present in a dedicated polling station (other than that situated inside a maximum security prison) to observe the poll at any one time. For security reasons,
- (i) 在設於高度設防監獄的專用投票站，同一時間最多只可有 2 名候選人觀察投票情況；以及
only a maximum of 2 candidates may be present at any one time to observe the poll at a dedicated station situated inside a maximum security prison; and
- (ii) 在設於監獄（高度設防監獄除外）的專用投票站，同一時間最多可有 2 名候選人、選舉代理人或監察投票代理人進入。
a maximum of 2 candidates, election agents or polling agents may be admitted to a dedicated polling station situated in a prison other than a maximum security prison at any one time.
- (b) 進入專用投票站以**先到先得**的方式處理。如果同時有多於 2 名候選人／代理人擬觀察投票情況，則他們須輪流進行觀察。投票站主任可規定進入專用投票站的人數。除選民、執勤的警務人員、懲教署人員、執法機關人員或民眾安全服務隊隊員外，所有獲准進入投票站的其他人士，均須簽署 1 份指定格式具見證人的**保密聲明**（表格編號為 REO/C/14 (2017CE-E) (SF) ），並須遵守有關對投票保密的各項規定。
Admission to the dedicated polling station is on a **first-come-first-served basis**. Observers will have to take turn in case more than 2 candidates/agents intend to observe the poll at the same time. The Presiding Officer may regulate the number of people entering the dedicated polling stations. Except for an elector, 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, all other persons permitted to enter a polling station are required to sign a **Declaration of Secrecy** on a specified form (Form no: REO/C/14 (2017CE-E) (SF)) and to observe the provisions governing the secrecy of voting.
- (c) 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，只限一人可以在場觀察投票箱上鎖和加封的過程。基於保安理由：
For each candidate, only 1 such person may be present to observe the locking and sealing of the ballot boxes: a candidate, the election agent or a polling agent. For security reasons,
- (i) 在高度設防監獄的專用投票站內，最多只可有 2 名候選人在場觀察投票箱上鎖和加封的過程；
only a maximum of 2 candidates may be present to observe the locking and the sealing of the ballot boxes at a dedicated station situated inside a maximum security prison;
- (ii) 而在監獄（高度設防監獄除外）的專用投票站內，最多可有 2 名候選人、選舉代理人或監察投票代理人在場觀察投票箱上鎖和加封的過程。
a maximum of 2 candidates, election agents or polling agents may be present to observe the locking and the sealing of the ballot boxes at a dedicated polling station situated in a prison other than a maximum security prison at any one time.
- (d) 候選人、選舉代理人或監察投票代理人進入專用投票站觀察投票箱上鎖和加封的過程以**先到先得**的方式處理。如果投票站內沒有候選人或其代理人在場，投票箱上鎖和加封的過程會在投票站內以下其中兩名人員（視乎情況而定）面前進行：警務人員、民眾安全服務隊隊員、懲教署人員或投票站工作人員。
Admission of candidates, election agents or polling agents to the dedicated polling station to observe the locking and sealing of ballot boxes will be on a **first-come-first-served basis**. Where no candidates or any of their agents are present at the polling station, the process of locking and sealing of ballot boxes will be conducted in the presence of any two of the following persons: police officer, member of the Civil Aid Service, officer of the Correctional Services Department or polling staff, as the case may be, present at the polling station.
9. 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 question in completing this notice, please call the Enquiry Hotline of the Registration and Electoral Office at 2891 1001 during office hours.

10. 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、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 notice will be used by the Electoral Affairs Commission, the Registration and Electoral Office, the Returning Officer 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《選舉程序（行政長官選舉）規例》（第 541J 章）第 15 條向其他候選人送交載有選舉代理人詳情（包括其姓名及地址）的通知，並在選舉主任須於緊靠其辦事處外的顯眼地方，展示一份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 14 and 15 of the Electoral Procedure (Chief Executive Election) Regulation (Cap 541J), send to other candidates a notice containing the particulars of election agents (including their names and addresses) and display, in a prominent place immediately 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

Candidate must 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 request for access to and correction of personal data) should be addressed to the Chief Electoral Officer at 10th Floor, Harbour Centre, 25 Harbour Road, Wanchai, Hong Kong.

選舉管理委員會
2016 年 11 月
Electoral Affairs Commission
November 2016