

To: Chief Electoral Officer
(Fax No.: 2554 7065)

Undertaking on the Use of Electors' Information
2018 Legislative Council By-election

Date of By-election: 11 March 2018

I hereby undertake:

- (1) to use the information in the "Candidate Mailing Label System" DVD and the mailing labels of registered electors* solely for the purpose related to the electioneering activities for the 2018 Legislative Council By-election;
- (2) when sending out election mail to electors through mass e-mails, to address each elector by an individual e-mail, to enter the e-mail addresses of electors into the "bcc" column or use other proven means to send out the e-mails in such a way that each recipient will not be able to view the e-mail addresses of other electors;
- (3) to make every endeavour to prevent any disclosure of electors' personal data including e-mail addresses to unauthorised persons and, in the event of inadvertent disclosure of electors' personal data, to prevent any misuse of the relevant information by third parties, including but not limited to informing the third parties that they are in possession of electors' personal data obtained for the purpose of compiling a register of electors and requiring them to delete the relevant information immediately; and
- (4) to properly dispose of all unused mailing labels, if any, and electors' personal data **within 2 weeks** after the 2018 Legislative Council By-election, **AND** return the "Candidate Mailing Label System" DVD to the Registration and Electoral Office for disposal **on or before 26 March 2018**.

I understand that:

- (1) it is an offence for any person to reproduce or permit another person to reproduce in any form, use or permit another person to use, or impart to any other person, the electors' information in the above DVD and/or mailing labels for any purposes other than the purpose related to the electioneering activities for the 2018 Legislative Council By-election. Any person who commits the said offence is liable to a fine up to HK\$5,000 and imprisonment for 6 months[#]; and
- (2) the Electoral Affairs Commission and the Government of the Hong Kong Special Administrative Region (including the Registration and Electoral Office) shall not be responsible for any disclosure, intentional or inadvertent, of electors' personal data to unauthorised persons, or for any use of electors' personal data for non-electioneering activities by the candidate(s). The candidate(s) shall be responsible for any disclosure of electors' personal data to unauthorised persons or any use of electors' personal data for non-electioneering activities, and shall indemnify and keep indemnified the Electoral Affairs Commission and the Government against all liabilities, costs, expenses, actions, proceedings, claims, demands, losses and damages arising out of or in connection with such disclosure or use.

Signature of Candidate / Election Agent* : _____

Name of Candidate / Election Agent* (BLOCK LETTERS) : _____

Name of the Candidate (BLOCK LETTERS) : _____

Name of Geographical Constituency / Functional Constituency* : _____

Date : _____

* Please delete as appropriate

See sections 21(3) and 22(3) of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541A) and sections 41(3) and 42(3) of the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541B).

To: Chief Electoral Officer

Acknowledgement of Receipt

I acknowledge receipt of the following item(s) from the Registration and Electoral Office:

1. * "Candidate Mailing Label System" DVD and the relevant User Guide;
2. * A set of mailing labels of registered electors as specified in the Candidate's/the Election Agent's Notice for Collection of Electors' Information on _____ (Date) (excluding electors who have provided their e-mail addresses (except those in the custody of the Correctional Services Department), and those who have requested no election mail).

I have inspected the seal(s) on the item(s) and found it/them intact. I have also read and understood the "Supplementary Note on Undertaking on the Use of Electors' Information".

Signature of Candidate / Election Agent * : _____

Name of Candidate / Election Agent * (BLOCK LETTERS) : _____

Date : _____

* Please delete as appropriate.