

2018 年立法會補選
功能界別提名表格
(規例第 11 條)

2018 LEGISLATIVE COUNCIL BY-ELECTION
NOMINATION FORM FOR A FUNCTIONAL CONSTITUENCY
(Section 11 of the Regulation)

建築、測量、都市規劃及園境界功能界別
Architectural, Surveying, Planning and Landscape Functional Constituency

補選日期：2018 年 3 月 11 日
Date of By-election: 11 March 2018

[附註：請用正楷填寫此表格，填寫前請小心參閱夾附的《填寫立法會補選功能界別提名表格說明》（“說明”）。]

[Note: Please read carefully the accompanying “Notes on Completion of Nomination Form for a Functional Constituency of the Legislative Council By-election” (“Note(s)”) before completing this form in BLOCK LETTERS.]

第一部分 提名

PART I NOMINATION

第一節：候選人資料（由候選人填寫）〔見說明第 2、6、7 及 20 項〕

Section 1: Particulars of Candidate (To be completed by the candidate) [see Notes 2, 6, 7 and 20]

中文姓名（正楷）：_____

〔見說明第 6 項及附錄〕

Name in Chinese [see Note 6 and Appendix]

電碼：_____

Chinese Commercial Code

英文姓名（正楷）：_____

〔見說明第 6 項〕

(姓 Surname)

(名 Other name)

Name in English (in BLOCK LETTERS) [see Note 6]

中文別名（正楷）（如適用）：_____

〔見說明第 6 項〕

Alias in Chinese (if applicable) [see Note 6]

英文別名（正楷）（如適用）：_____

〔見說明第 6 項〕

Alias in English (in BLOCK LETTERS) (if applicable) [see Note 6]

香港身分證號碼：_____

Hong Kong Identity Card Number

出生日期：_____/_____/_____ 性別：_____

Date of Birth (Day 日/ Month 月/ Year 年)

Sex

主要住址（中文）：* 香港／九龍／新界

〔見說明第 6 項及附錄〕

Principal Residential

Address in Chinese

[see Note 6 and Appendix]

主要住址（英文）：

〔見說明第 6 項及附錄〕

Principal Residential

Address in English

* Hong Kong / Kowloon / New Territories

[see Note 6 and Appendix]

通訊地址：

Correspondence

Address

(如與主要住址不同)

(見附錄)

(if different from the principal residential address)

(see Appendix)

職業（可選擇是否填寫）〔見說明第 7 項〕：

Occupation (Optional) [see Note 7]

(中文 Chinese)

(英文 English)

任職公司／機構名稱（可選擇是否填寫）〔見說明第 7 項〕：

Name of Company/Organisation (Optional) [see Note 7]

電話號碼：住宅 Home

辦公室 Office

Telephone

Numbers 流動電話 Mobile

傳真號碼：

Fax Number

電郵地址：

E-mail Address

政治聯繫（可選擇是否填寫）〔見說明第 7 項〕：(中文 Chinese)

Political Affiliation (Optional) [see Note 7]

(英文 English)

提供予傳媒及公眾查閱的聯絡資料（可選擇是否填寫）〔見說明第 2 及 20(b)項〕

Contact Information for the Media and Public Inspection (Optional) [see Notes 2 and 20(b)]

通訊地址：

Correspondence Address

電話號碼 Telephone Number：

傳真號碼 Fax Number：

電郵地址 E-mail Address：

* 請刪去不適用者。

Please delete whichever is inapplicable.

第二節： 提名人資料

(此表格必須由最少 10 位，但不超過 20 位有關功能界別的選民親自簽署表示同意提名。) [在填寫此節時，候選人及提名人請參閱說明第 3、4、5 及 20 項 (包括《個人資料 (私隱) 條例》(第 486 章) 附表 1 的保障資料原則 (“保障資料原則”))。]

Section 2 : Particulars of Subscribers

(This form must be subscribed by at least 10, but not more than 20, electors of the relevant functional constituency, each of whom must **sign personally** in the space provided.) [Candidate and subscribers should see Notes 3, 4, 5 and 20 (including the Data Protection Principles in Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486) (“Data Protection Principles”)) when completing this section.]

功能界別名稱：**建築、測量、都市規劃及園境界**

Name of Functional Constituency: **Architectural, Surveying, Planning and Landscape**

候選人姓名 (正楷)：_____

補選日期：2018 年 3 月 11 日

Name of Candidate (in BLOCK LETTERS)

Date of By-election: 11 March 2018

我們是上述功能界別之登記個人選民，現提名上述人士為該功能界別補選之候選人。我們個別的個人資料如下 (必須由每位提名人親自簽署) -

[候選人須為每位提名人編配一個優先編號。不同提名人不應獲編配相同的優先編號。]

We are registered individual electors for the above functional constituency and we hereby nominate the person named above as a candidate for the functional constituency at the above by-election. The particulars of each of us are as follows (must be personally signed by each of the subscribers) -

[Candidate should assign a priority number for each subscriber. Different subscribers should not be assigned the same priority number.]

優先編號 Priority No.		姓名 Name		香港身分證號碼 Hong Kong Identity Card Number	提名人簽署 (必須由每位提名人親自簽署) Subscriber's Signature (must be <u>personally signed</u> by each subscriber)
中文 (正楷) in Chinese		英文 (姓) (名) (正楷) in English (Surname first) (in BLOCK LETTERS)			

(提名人資料會供公眾查閱，在展示前，所有身分證號碼會被遮蓋。)
[見說明第 3、4、5 及 20 項 (包括保障資料原則)]
(Particulars of subscribers will be made available for public inspection.
All identity card numbers will be covered before display.)
[see Notes 3, 4, 5 and 20 (including Data Protection Principles)]

提名人資料 (延續)

Particulars of Subscribers (cont'd)

功能界別名稱：建築、測量、都市規劃及園境界

Name of Functional Constituency: Architectural, Surveying, Planning and Landscape

候選人姓名 (正楷)：_____

補選日期：2018年3月11日

Name of Candidate (in BLOCK LETTERS)

Date of By-election: 11 March 2018

我們是上述功能界別之登記個人選民，現提名上述人士為該功能界別補選之候選人。我們個別的個人資料如下 (必須由每位提名人親自簽署) -

[候選人須為每位提名人編配一個優先編號。不同提名人不應獲編配相同的優先編號。]

We are registered individual electors for the above functional constituency and we hereby nominate the person named above as a candidate for the functional constituency at the above by-election. The particulars of each of us are as follows (must be personally signed by each of the subscribers) -

[Candidate should assign a priority number for each subscriber. Different subscribers should not be assigned the same priority number.]

提名人資料 Particulars of Subscribers		(提名人資料會供公眾查閱，在展示前，所有身分證號碼會被遮蓋。) [見說明第 3、4、5 及 20 項 (包括保障資料原則)] (Particulars of subscribers will be made available for public inspection. All identity card numbers will be covered before display.) [see Notes 3, 4, 5 and 20 (including Data Protection Principles)]		
優先 編號 Priority No.	姓名 Name		香港身分證號碼 Hong Kong Identity Card Number	提名人簽署 (必須由每位提名人 親自簽署) Subscriber's Signature (must be <u>personally signed</u> by each subscriber)
	中文 (正楷) in Chinese	英文 (姓) (名) (正楷) in English (Surname first) (in BLOCK LETTERS)		

提名人資料 (延續)

Particulars of Subscribers (cont'd)

功能界別名稱：建築、測量、都市規劃及園境界

Name of Functional Constituency: Architectural, Surveying, Planning and Landscape

候選人姓名 (正楷)：_____

補選日期：2018年3月11日

Name of Candidate (in BLOCK LETTERS)

Date of By-election: 11 March 2018

我們是上述功能界別之登記個人選民，現提名上述人士為該功能界別補選之候選人。我們個別的個人資料如下 (必須由每位提名人親自簽署) -

[候選人須為每位提名人編配一個優先編號。不同提名人不應獲編配相同的優先編號。]

We are registered individual electors for the above functional constituency and we hereby nominate the person named above as a candidate for the functional constituency at the above by-election. The particulars of each of us are as follows (must be personally signed by each of the subscribers) -

[Candidate should assign a priority number for each subscriber. Different subscribers should not be assigned the same priority number.]

優先編號 Priority No.	姓名 Name		香港身分證號碼 Hong Kong Identity Card Number	提名人簽署 (必須由每位提名人親自簽署) Subscriber's Signature (must be <u>personally signed</u> by each subscriber)
	中文 (正楷) in Chinese	英文 (姓) (名) (正楷) in English (Surname first) (in BLOCK LETTERS)		

(提名人資料會供公眾查閱，在展示前，所有身分證號碼會被遮蓋。)
[見說明第 3、4、5 及 20 項 (包括保障資料原則)]
(Particulars of subscribers will be made available for public inspection.
All identity card numbers will be covered before display.)
[see Notes 3, 4, 5 and 20 (including Data Protection Principles)]

提名人資料 (延續)

Particulars of Subscribers (cont'd)

功能界別名稱：建築、測量、都市規劃及園境界

Name of Functional Constituency: Architectural, Surveying, Planning and Landscape

候選人姓名 (正楷)：_____

補選日期：2018年3月11日

Name of Candidate (in BLOCK LETTERS)

Date of By-election: 11 March 2018

我們是上述功能界別之登記個人選民，現提名上述人士為該功能界別補選之候選人。我們個別的個人資料如下 (必須由每位提名人親自簽署) -

[候選人須為每位提名人編配一個優先編號。不同提名人不應獲編配相同的優先編號。]

We are registered individual electors for the above functional constituency and we hereby nominate the person named above as a candidate for the functional constituency at the above by-election. The particulars of each of us are as follows (must be personally signed by each of the subscribers) -

[Candidate should assign a priority number for each subscriber. Different subscribers should not be assigned the same priority number.]

提名人資料 Particulars of Subscribers		(提名人資料會供公眾查閱，在展示前，所有身分證號碼會被遮蓋。 [見說明第 3、4、5 及 20 項 (包括保障資料原則)] (Particulars of subscribers will be made available for public inspection. All identity card numbers will be covered before display.) [see Notes 3, 4, 5 and 20 (including Data Protection Principles)]		
優先 編號 Priority No.	姓名 Name		香港身分證號碼 Hong Kong Identity Card Number	提名人簽署 (必須由每位提名人 親自簽署) Subscriber's Signature (must be <u>personally signed</u> by each subscriber)
	中文 (正楷) in Chinese	英文 (姓) (名) (正楷) in English (Surname first) (in BLOCK LETTERS)		

第二部分 候選人同意提名、資格聲明及授權透露有關候選人的紀錄／資料
(由候選人填寫)

[在填寫前，請參閱說明第 8、13、14、15、17、18、19 及 20 項。]

PART II CANDIDATE'S CONSENT TO NOMINATION, DECLARATION OF ELIGIBILITY AND CONSENT TO RELEASE OF RECORD/ INFORMATION *(To be completed by the candidate)*

[Please refer to Notes 8, 13, 14, 15, 17, 18, 19 and 20 before completion.]

1. 我謹聲明我同意如上文第一部分第一節所述，獲提名為上述補選候選人。
I, being the nominee mentioned in Section 1 of PART I above, hereby declare that I consent to my being nominated as a candidate at the above by-election.
2. 我確認上文第一部分第一節所列有關我的資料乃屬真實正確。
I hereby confirm that my particulars as contained in Section 1 of PART I above are true and correct.
3. 我特此聲明，按《立法會條例》(第 542 章)第 37 條之規定，我有資格被提名為候選人及參加上述補選。為此，我提供下列資料—
I hereby declare that I am eligible under section 37 of the Legislative Council Ordinance (Cap. 542) to be nominated as a candidate at the above by-election. In this regard, I provide the following information-

第一節： 一般資格

Section 1: General Eligibility

- (a) 我已年滿 21 歲。
I have reached 21 years of age.
- (b) 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 for a geographical constituency and am eligible to be so registered.
- (c) 我在緊接提名前的 3 年內通常在香港居住。
I have ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination.

第二節： 在某一功能界別已登記為選民

[候選人請留意，若你並非某一功能界別的登記選民，你必須一併填寫第三節證明你與該界別有密切聯繫。]

Section 2: Registration as an Elector in a Particular Functional Constituency

[If you are not a registered elector for the functional constituency, you must also fill in Section 3 to demonstrate that you have a substantial connection with the functional constituency.]

- 我已在建築、測量、都市規劃及園境界功能界別登記為選民，並有資格如此登記。
I am a registered elector in the architectural, surveying, planning and landscape functional constituency and am eligible to be so registered.
- 我並沒有在建築、測量、都市規劃及園境界功能界別登記為選民。
I am not a registered elector in the architectural, surveying, planning and landscape functional constituency.

第三節： 與某一功能界別的密切聯繫

[若你並非已在該功能界別登記為選民，或你並沒有資格如此登記，你必須填寫此節。如下列空位不敷填寫，請另頁詳列有關資料，並加簽署。]

Section 3: Substantial Connection with a Particular Functional Constituency

[You must fill in this section if you are not registered as an elector, or if you are not eligible to be so registered for the functional constituency. Please provide information on a separate sheet if space provided below is insufficient and sign thereon.]

- 我認為自己與 建築、測量、都市規劃及園境界 功能界別有密切聯繫。就此，我提供下列資料以茲證明—

I regard myself as having a substantial connection with the architectural, surveying, planning and landscape functional constituency. I provide the following supporting information-

[以下是一些可證明你是否與這功能界別有密切聯繫的項目，可填寫多於一項。請在合適的方格內加上「✓」號，並提供有關資料。]

[The following sets out some items which may demonstrate whether you have a substantial connection with the functional constituency. You may fill in more than one item. Please tick whichever is applicable, and provide information accordingly.]

- (a) 我現時及過往的就業（包括自僱）詳情如下—

My employment history (including self-employment) is as follows-

期間 Period	機構名稱 Name of Establishment	業務／行業種類 Nature of Business/Trade	職位 Position Held

- (b) 現時及過往的聯繫—

My history of connection is as follows-

期間 Period	聯繫詳情 Details of Connection

- (c) 我擁有下列會籍或資格－
I am in possession of the following membership or qualification-

會籍或資格： _____
Membership or qualification

取得會籍或資格日期： _____
Date of acquiring membership or qualification

- (d) [如你已填寫上文(a)項及已提供相同資料，則無須填寫本項。]
[If you have filled in item (a) above and have provided the same information, you do not need to fill in this item.]

- 我是以下所述機構－

_____ 之－

I am-

- (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 (specify 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）
connected with the management or part of the management
(give details below)
- _____
- (8) 僱員
an employee
- (9) 其他（請在以下列明）
others (please specify below)
- _____

of the following organisation-

(e) 我自從_____（日期）起，是下述職工會的職員－

I have, since _____(date), been an officer of the following trade union-

(f) *(d) 段所述之機構／(e) 段所述之職工會－

The *organisation stated in (d)/trade union stated in (e) above has been-

(1) 由_____（日期）起，已成為

_____的會員。

a member of the _____

since _____(date).

(2) 由_____（日期）起，已開始經營。

carrying on its business since _____(date).

(3) 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).

(g) 其他有關資料－

Any other relevant information-

我並沒有失去與_____ 建築、測量、都市規劃及園境界 功能界別的密切聯繫。

I have not ceased to have substantial connection with the _____ architectural, surveying, planning and landscape functional constituency.

4. 我特此聲明，據我所知，我並無因《立法會條例》（第 542 章）第 39 條或任何其他法律喪失獲提名為候選人或當選之資格。〔見說明第 17 項〕

I declare that to the best of my knowledge I am not disqualified from being nominated as a candidate or elected as a Member by virtue of section 39 of the Legislative Council Ordinance (Cap. 542) or any other law. [see Note 17]

5. 我特此聲明，我會擁護《基本法》和保證效忠香港特別行政區。

I declare that I will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region.

6. 我並特此聲明，我是香港特別行政區永久性居民，而且：
I also declare that I am a permanent resident of the Hong Kong Special Administrative Region and:

我是中國公民，並且沒有中華人民共和國以外的國家的居留權。
I am a Chinese citizen and I do not have right of abode in any country other than the People's Republic of China.

我的國籍是 _____。
My nationality is _____.

我擁有在 _____ 的居留權。
(除中華人民共和國外的國家名稱)

I have right of abode in _____.
(name of country other than the People's Republic of China)

7. 我亦進一步聲明，我並非現任立法會議員，及我並無於是次立法會補選中，在其他地方選區獲提名為候選人。如我曾在是次補選中其他地方選區獲提名為候選人，我已按《立法會條例》（第 542 章）及《選舉管理委員會（選舉程序）（立法會）規例》（第 541D 章）的規定，撤回我在是次補選中所有其他選區的參選提名。

I further declare that I am not an incumbent Legislative Council Member, and I have not been nominated as a candidate for election for another geographical constituency in this Legislative Council by-election. If I have been nominated as a candidate for election for another geographical constituency in this Legislative Council by-election, I have, in accordance with the requirements under the Legislative Council Ordinance (Cap. 542) and the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), withdrawn all my nominations in respect of all other constituencies at this by-election.

8. 我亦附上一項根據《立法會條例》（第 542 章）第 40(1)(b)(iii)條採用承諾形式作出的誓言。

I also attach a completed promissory oath to the effect as required by section 40(1)(b)(iii) of the Legislative Council Ordinance (Cap. 542).

9. 就我在本部分第 2 至第 7 段所確認及聲明的事項，我現明示同意選舉主任、選舉事務處及選舉管理委員會向有關機構（包括但不限於：入境事務處、公務員事務局、立法會、懲教署、香港警務處及破產管理署）查核（包括透過核對程序進行查核）我在此提名表格內提供的資料，以及我獲提名為候選人及當選為議員的資格。我亦明示同意上述有關機構向選舉主任、選舉事務處及選舉管理委員會披露任何有關我的紀錄或資料，以作查核用途。

In respect of my confirmation and declarations made in paragraphs 2 to 7 of this Part, I hereby expressly consent to the Returning Officer, the Registration and Electoral Office and the Electoral Affairs Commission verifying (including by means of a matching procedure) the information supplied by me in this nomination form and my eligibility to be nominated as a candidate and to be elected as a Member with all the relevant authorities (including but not limited to Immigration Department, Civil Service Bureau, Legislative Council, Correctional Services Department, Hong Kong Police Force and Official Receiver's Office). I also expressly consent to the above authorities' release of any record or information concerning myself to the Returning Officer, the Registration and Electoral Office and the Electoral Affairs Commission for verification purposes.

候選人簽署：_____
Signature of Candidate

日期：_____
Date

候選人姓名：_____
Name of Candidate

* 請刪去不適用者。
Please delete whichever is inapplicable.

請在合適的方格內加上「✓」號。
Please tick which is applicable.

第三部分 證明（由見證人填寫）〔見說明第 15 及 20 項〕

PART III ATTESTATION (To be completed by a witness) [see Notes 15 and 20]

1. 我聲明本提名表格第二部分是於我在場下由候選人親自填寫及簽署。
I hereby declare that PART II of this nomination form was completed and signed by the candidate in my presence.
2. 我的個人資料如下—
My 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）： _____
Identity Document (please specify Type and Number)

住址： _____
Residential Address

日期： _____
Date

見證人簽署： _____
Signature of Witness

第四部分 候選人提名是否有效的決定（由選舉主任填寫）

PART IV DECISION ON THE VALIDITY OF THE NOMINATION

(To be completed by the Returning Officer)

候選人姓名（正楷）：_____

Name of Candidate (in BLOCK LETTERS)

1. 選舉按金
Election Deposit

- 已收到一張抬頭註明「香港特別行政區政府」或「The Government of the Hong Kong Special Administrative Region」的*劃線支票／銀行本票（編號：_____），共港幣25,000元作為選舉按金。

*A crossed cheque / cashier order (No. _____) in the sum of HK\$25,000 (being the election deposit) payable to "The Government of the Hong Kong Special Administrative Region" or "香港特別行政區政府", has been received.

- 已收到現金，共港幣25,000元作為選舉按金。
A sum of HK\$25,000 in cash (being the election deposit) has been received.

2. 經過查閱有關的資料後，本人決定：
Having checked all relevant details, I hereby decide that:

- 上述候選人的提名為有效。
the above candidate is validly nominated.
- 上述候選人的提名為無效。原因如下：
the above candidate is not validly nominated and the reason(s) *is/are as follows:

選舉主任簽署：_____

Signature of the Returning Officer

日期：_____

Date

選舉主任姓名：_____

Name of the Returning Officer

* 請刪去不適用者。
Please delete whichever is inapplicable.

請在合適的方格內加上「✓」號。
Please tick whichever is applicable.

承諾形式的誓言
PROMISSORY OATH

《選舉管理委員會（選舉程序）（立法會）規例》（第 541D 章）第 11 條
Section 11 of the Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) Regulation (Cap. 541D)

立法會補選
LEGISLATIVE COUNCIL BY-ELECTION

建築、測量、都市規劃及園境界功能界別
Architectural, Surveying, Planning and Landscape Functional Constituency

補選日期：2018 年 3 月 11 日
Date of By-election: 11 March 2018

本人 I, _____
(姓名 Name)

居於 of _____
(主要住址 Principal residential address)

*謹此宣誓／謹以至誠確認，如在上述補選中獲選，本人不會在任期內作出任何會引致在《立法會條例》（第 542 章）第 40(1)(b)(iii)條中列明之情況的行為。本人已細閱該等條文。
hereby *make oath and say/do solemnly and sincerely affirm that, if elected as a Member of the Legislative Council in the above by-election, I will not do anything during my term of office that would result in any one of the conditions specified in section 40(1)(b)(iii) of the Legislative Council Ordinance (Cap. 542). I have read the relevant provisions.

宣誓人簽署 : _____
Signature of deponent

此項*宣誓／確認_____年_____月_____日在香港_____

_____作出。
(作出宣誓／確認的地點)

*SWORN/AFFIRMED at _____
(place where the oath/affirmation is made)

Hong Kong this _____ day of _____.

在本人面前作出，
Before me,

簽署 : _____
Signature

姓名（正楷） : _____
Name (in BLOCK LETTERS)

職稱 : * 監誓員／公證人／太平紳士／
Title 持有執業證書的律師
* Commissioner for Oaths / Notary Public / Justice of the Peace / solicitor with a practising certificate

* 請刪去不適用者。
Please delete whichever is inapplicable.

填寫立法會補選功能界別提名表格說明

Notes on Completion of Nomination Form for a Functional Constituency of the Legislative Council By-election

以下說明只供參考。有關提名事宜的法例，請參閱《立法會條例》（第542章）、《選舉（舞弊及非法行為）條例》（第554章）及其他有關法例，包括《選舉管理委員會（選舉程序）（立法會）規例》（第541D章）。

The Notes below are for reference only. For legislation concerning nomination matters, please refer to the Legislative Council Ordinance (Cap. 542), the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and other relevant legislation, including the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D).

1. 每份提名表格只能提名一位候選人。
A separate nomination form must be used for each candidate.
2. 是否提供聯絡資料予傳媒及公眾查閱使用屬自願性質。該等資料會提供予傳媒以便他們直接聯絡有關候選人。
The supply of contact information for the media and public inspection is optional. The information will be provided to the media to facilitate them to contact the candidate concerned directly.

3. 根據《立法會（提名所需的選舉按金及簽署人）規例》（第542C章），每份功能界別（區議會（第二）功能界別除外）的提名表格須由不少於10位提名人親自簽署表示同意提名。若提名表格不敷填寫，請使用「提名人補充頁」。所有提名人必須已登記為建築、測量、都市規劃及園境界功能界別的選民。提名人必須填寫在其身分證明文件（指提名人記錄在地方選區正式選民登記冊內的資料所依據的身分證明文件）上所顯示的姓名。提名表格應由比最低規定為多的人士簽署，以避免因有一名或以上的簽署人不符合資格而令提名表格失效。但每份提名表格不得超過20位提名人簽署。候選人應小心查證提名人的資格。倘若基於任何原因，某位提名人被發現不符合資格，他／她的姓名將不被理會。

According to the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542C), a nomination form must be personally subscribed by no fewer than 10 subscribers for the functional constituency (other than the District Council (second) functional constituency), each of whom must sign in the space provided. Please use the “Supplementary Sheet for Subscribers” if the space provided in this nomination form is insufficient. All the subscribers must be registered electors for the architectural, surveying, planning and landscape functional constituency. The subscriber must provide the name as shown on his/her identity document (being the identity document based on which the particulars of the subscriber are recorded in the geographical constituencies final register). A candidate is advised to include more than the minimum required number of subscribers in his/her nomination form to avoid the risk of invalidation of the nomination if any subscriber is unqualified. However, the nomination form shall not contain more than 20 subscribers. A candidate is advised to check the qualification of the subscribers. If for any reason a subscriber is found to be unqualified, his/her name will be disregarded.

4. 每一位建築、測量、都市規劃及園境界功能界別的選民只可就此功能界別以提名人身分簽署一份提名表格。如提名人簽署多於一份提名表格，則只有在最先交付的提名表格上的簽署方為有效。

An elector of the architectural, surveying, planning and landscape functional constituency is entitled to subscribe only ONE nomination form for this functional constituency. If a subscriber subscribes more than one nomination form, his/her signature shall be operative only on the first one delivered.

5. 候選人須為每名提名人編配一個優先編號。不同提名人不應獲編配相同的優先編號。任何人在某份提名表格上以提名人身分簽署，如其簽署超出有效地提名有關候選人所需的提名人人數（由優先編號1起計），則該人將被視為不曾在該提名表格上以提名人身分簽署。該人可簽署另一份提名表格。

Candidate should assign a priority number for each subscriber. Different subscribers should not be assigned the same priority number. Any person whose signature as a subscriber is in surplus of the number of qualified subscribers required to effect the nomination of the candidate concerned (counting from Priority No. 1 onwards) will be regarded as not having subscribed the nomination form. In this case, that person may subscribe another nomination form.

6. 請以中文及英文提供候選人的姓名及主要住址，以便根據《選舉管理委員會（選舉程序）（立法會）規例》（第541D章）在政府憲報上刊登有效提名公告。有關填寫中文姓名及主要住址的注意事項，可參閱附錄。候選人必須填寫在其身分證明文件（指候選人記錄在地方選區正式選民登記冊內的資料所依據的身分證明文件，通常是其香港身分證）上所顯示的姓名。候選人在填寫中文姓名時須嚴格依照在其身分證明文件上所顯示的繁體字或簡體字寫法（按情況而定）。未能遵守這項規定會延誤檢查身分證明文件工作及／或令候選人須返回選舉主任辦事處更正寫法。如果選舉主任信納某候選人通常為人所周知的姓名與其身分證明文件上所顯示的姓名有所不同，該候選人可在別名一欄中加上該姓名。有效提名公告上顯示的候選人姓名（包括別名）會印在選票上。根據《選舉管理委員會（選舉程序）（立法會）規例》（第541D章）第19(3)及(4)條，選舉主任必須將一份關於某人是否獲有效提名的決定的通知，送交該人及有關功能界別的每名獲有效提名的候選人。這份通知必須按各有關的提名表格上所提供的主要住址送交。主要住址是指有關人士的唯一或主要居所的地址。

For publication of the Notice of Valid Nominations in the Government Gazette, in accordance with the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), please provide the name and principal residential address of the candidate in both Chinese and English. The candidate may refer to the Appendix for the points to note when filling in the Chinese name and principal residential address. The candidate must provide the name as shown on his/her identity document (being the identity document based on which the particulars of the candidate are recorded in the geographical constituencies final register, which is usually his/her Hong Kong Identity Card). The candidate should strictly follow the writing of his/her Chinese name as shown on his/her identity document in Traditional Chinese or Simplified Chinese (as the case may be). Failure to comply with this requirement would cause a delay in checking the candidate's identity document and/or require him/her to return to the Returning Officer's office for rectification. If the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on his/her identity document, that candidate may include that different name as his/her alias. The name (including alias) of the candidate as shown in the Notice of Valid Nominations will be printed on ballot papers. According to section 19(3) and (4) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), the Returning Officer must send a notice of a decision that a person is validly nominated or is not validly nominated to the person concerned and each validly nominated candidate for the constituency concerned. Such a notice must be sent to the respective principal residential addresses of the concerned person/candidate(s) as given on their nomination forms. Principal residential address means, in relation to a person, the address of the only or principal residence of the person.

7. 候選人可選擇在提名表格填寫其職業、任職公司／機構名稱及政治聯繫的資料，此等資料將會供公眾查閱。如候選人公開其政治聯繫時提及任何團體的名稱，他／她必須先取得有關團體的同意。候選人的姓名、性別、職業、及政治聯繫的資料亦會在補選專用網站發布。

A candidate can choose to state his/her occupation, name of company/organisation and political affiliation in the nomination form, which will be made available for public inspection. If the candidate mentions the name of any organisation when stating his/her political affiliation, he/she must seek the consent of the organisation concerned beforehand. Candidate's name, sex, occupation and political affiliation will also be published in the dedicated website of the by-election.

8. 提名表格必須在提名期：2018年1月16日至2018年1月29日內（首尾兩天包括在內），除公眾假期外的任何日子，於通常辦公時間內（星期一至星期五：上午九時至下午五時；星期六：上午九時至中午十二時）由候選人親自送交有關的選舉主任（已向總選舉事務主任申請並獲認可以其他方式呈交者除外）。根據《選舉管理委員會（選舉程序）（立法會）規例》（第541D章）第2A(3)條，如提名期的最後一日適逢惡劣天氣警告日（在該工作日中，在通常辦公時間內的任何時間有烈風警告或暴雨警告生效；烈風警告及暴雨警告的涵義與該詞在《司法程序（烈風警告期間聆訊延期）條例》（第62章）中的涵義相同），提名期將會延長至並非惡劣天氣警告日的下一個工作日結束。除提名表格外，候選人須一併遞交－

A nomination form must be handed in by the candidate **in person** (except where the Chief Electoral Officer, on application, has authorized another means of submission) and received by the relevant Returning Officer within the nomination period from 16 January 2018 to 29 January 2018 (both days inclusive) during ordinary business hours (Monday to Friday: from 9 am to 5 pm; Saturday: from 9 am to 12 noon) on any day other than a general holiday. According to section 2A(3) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), if the last

day of the nomination period falls on an inclement weather warning day (a working day on which a gale warning or a rainstorm warning is in force at any time during ordinary business hours; gale warning and rainstorm warning have the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62)), the period is extended to end on the next working day which is not an inclement weather warning day. The nomination form should be accompanied by-

- (a) 選舉按金港幣 25,000 元，以現金或劃線支票／銀行本票（抬頭請寫「香港特別行政區政府」）支付。**為避免因支票遭銀行退票而令提名失效，候選人應盡量以現金或銀行本票支付選舉按金；及**
an election deposit in the sum of HK\$25,000 in cash or by crossed cheque/cashier order made payable to "The Government of the Hong Kong Special Administrative Region". **In order to avoid the risk of invalidation of the nomination due to dishonoured cheque, candidates are strongly advised to submit the election deposit in cash or cashier order;** and
- (b) 根據《立法會條例》（第 542 章）第 40(1)(b)(iii)條作出的採用承諾形式的誓言（已附夾在提名表格內）。
（採用承諾形式的誓言必須在一位監誓員、公證人、太平紳士或持有執業證書的律師面前作出。）
a promissory oath to the effect as required in section 40(1)(b)(iii) of the Legislative Council Ordinance (Cap. 542) (already attached to the nomination form).
(The promissory oath has to be made before a Commissioner for Oaths, a Notary Public, a Justice of the Peace or a solicitor holding a practising certificate.)

候選人請留意，提名表格**必須**載有上述採用承諾形式的誓言。

A candidate should note that the nomination form **must** attach the promissory oath mentioned above.

9. 準候選人應盡早遞交提名表格，以便於提名期結束前，將提名表格上可能發現的錯處更正。
A prospective candidate is strongly advised to **submit his/her nomination form as early as practicable** so that any mistakes found in his/her nomination form may be rectified **before the end of nomination period.**
10. 任何提名表格所載候選人姓名或其他重要資料如經更改，將可能不會被選舉主任接納。
The Returning Officer may not accept any nomination form on which the name or other important particulars of the candidate has/have been amended, altered or corrected.
11. 選舉主任就提名是否有效所作的決定，除以選舉呈請書提出質疑外，不可循任何法律程序提出質疑。
The Returning Officer's decision on the validity of a nomination cannot be questioned in any proceeding except by an election petition.
12. 提名表格必須按《立法會條例》（第542章）及《選舉管理委員會（選舉程序）（立法會）規例》（第541D章）的規定列載所需的資料，提名方才有效。在決定候選人是否合乎資格及其提名有效與否時，有關的選舉主任可要求候選人提供其認為需要的額外資料。
A nomination will not be valid unless the nomination form contains the information as required in the Legislative Council Ordinance (Cap. 542) and the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D). The Returning Officer concerned may request such additional information from a candidate as he/she considers necessary to satisfy himself/herself as to the eligibility of the candidate and the validity of the nomination.
13. 現任立法會議員並無資格在是次補選中被提名為候選人。另外，候選人不得在是次立法會補選中，在超過一個地方選區或功能界別獲得提名。候選人遞交提名表格時，必須已退出在所有其他選區的選舉（如有），否則，他／她其後所遞交的提名將被當作無效。
An incumbent Legislative Council Member is not eligible to be nominated as a candidate in this by-election. Also, a candidate cannot be nominated for more than one geographical or functional constituency in this Legislative Council by-election. When he/she submits his/her nomination form, he/she must have withdrawn his/her candidature in respect of all other constituencies, if any. Otherwise, his/her subsequent nomination will be treated as invalid.

14. 候選人如欲退出選舉，可填寫一份「候選人退選通知書」的指明表格（REO/C/5/2018LC(By-E)(SF)），並於提名期結束前送遞予選舉主任。
If a candidate wishes to withdraw his/her candidature, he/she may do so by completing and delivering to the Returning Officer a “Notice of Withdrawal of Candidature” in a specified form (REO/C/5/2018LC(By-E)(SF)) before the end of nomination period.
15. 本提名表格第二部分必須於見證人在場下由候選人填寫及簽署。任何年滿18歲並持有身分證明文件的人士均可擔任見證人。見證人必須填寫及簽署本提名表格第三部分。根據《立法會條例》（第542章）第3(1)條，“身分證明文件”（identity document）指—
PART II of this nomination form should be completed and signed by a candidate in the presence of a witness who can be any person who is in possession of an identity document and aged 18 years or over. The witness is required to complete PART III of this nomination form and sign thereunder. According to section 3(1) of the Legislative Council Ordinance (Cap. 542), “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) 向某人發出而可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.
16. 如有任何關於填寫提名表格的查詢，請與選舉主任聯絡或致電選舉事務處查詢熱線2891 1001。
For enquiries concerning the completion of the nomination form, please contact the Returning Officer or call the Enquiry Hotline of the Registration and Electoral Office at 2891 1001.
17. 根據《立法會條例》（第542章）第37(2)至(4)、39、40及41條，有關獲提名為候選人的資格、喪失獲提名為候選人或當選為議員的資格的情況、獲提名的候選人須遵從的規定及不得就多於一個選區或選舉界別獲得提名的規定載列如下，以供參考—
Eligibility for being nominated as a candidate, disqualifications from being nominated as a candidate and from being elected as a Member, requirements to be complied with by persons nominated as candidates and the requirement for a person not to be nominated for more than one constituency are dealt with in sections 37(2)-(4), 39, 40 and 41 of the Legislative Council Ordinance (Cap. 542) which are reproduced below for reference-

獲提名為功能界別候選人的資格（《立法會條例》（第542章）第37(2)至(4)條）

- (2) 符合以下條件的人方有資格在某功能界別的選舉中獲提名為候選人—
 - (a) 年滿 21 歲；及
 - (b) (i) 就區議會（第二）功能界別以外的功能界別而言，已登記為並有資格登記為該功能界別的選民；或
(ii) 令該功能界別的選舉主任信納他與該功能界別有密切聯繫，但區議會（第一）功能界別及區議會（第二）功能界別除外；及
 - (c) 已登記為地方選區的選民並有資格如此登記；及
 - (d) 並未有憑藉第 39 條或任何其他法律喪失獲選為議員的資格；及
 - (e) 在緊接提名前的 3 年內通常在香港居住；及
 - (f) 是香港永久性居民中的中國公民，並且沒有在中華人民共和國以外的國家的居留權，但第 (3)款指明的 12 個功能界別除外；及
 - (g) 就區議會（第一）功能界別及區議會（第二）功能界別而言，是根據《區議會條例》（第 547 章）設立的區議會的、且根據該條例第 V 部當選的議員。
- (3) 為施行第(2)款而指明的 12 個功能界別如下—
 - (a) 法律界功能界別；
 - (b) 會計界功能界別；
 - (c) 工程界功能界別；
 - (d) 建築、測量、都市規劃及園境界功能界別；
 - (e) 地產及建造界功能界別；

- (f) 旅遊界功能界別；
 - (g) 商界（第一）功能界別；
 - (h) 工業界（第一）功能界別；
 - (i) 金融界功能界別；
 - (j) 金融服務界功能界別；
 - (k) 進出口界功能界別；
 - (l) 保險界功能界別。
- (4) 議員並無資格在補選中獲提名為候選人。

Who is eligible to be nominated as a candidate of a functional constituency (sections 37(2)-(4) of the Legislative Council Ordinance (Cap. 542))

- (2) A person is eligible to be nominated as a candidate at an election for a functional constituency only if the person -
- (a) has reached 21 years of age; and
 - (b) either-
 - (i) in the case of a functional constituency other than the District Council (second) functional constituency, is both registered and eligible to be registered as an elector for the constituency; or
 - (ii) in the case of a functional constituency other than the District Council (first) functional constituency and the District Council (second) functional constituency, satisfies the Returning Officer for the constituency that the person has a substantial connection with the constituency; and
 - (c) is both registered and eligible to be registered as an elector for a geographical constituency; and
 - (d) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and
 - (e) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and
 - (f) except in the case of the 12 functional constituencies specified in subsection (3), is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China; and
 - (g) in the case of the District Council (first) functional constituency and the District Council (second) functional constituency, is a member of any District Council established under the District Councils Ordinance (Cap. 547) who is elected under Part V of that Ordinance.
- (3) The following 12 functional constituencies are specified for the purposes of subsection (2)-
- (a) the legal functional constituency;
 - (b) the accountancy functional constituency;
 - (c) the engineering functional constituency;
 - (d) the architectural, surveying, planning and landscape functional constituency;
 - (e) the real estate and construction functional constituency;
 - (f) the tourism functional constituency;
 - (g) the commercial (first) functional constituency;
 - (h) the industrial (first) functional constituency;
 - (i) the finance functional constituency;
 - (j) the financial services functional constituency;
 - (k) the import and export functional constituency;
 - (l) the insurance functional constituency.
- (4) A Member is not eligible to be nominated as a candidate at a by-election.

喪失獲提名為候選人或當選為議員的資格的情況（《立法會條例》（第542章）第39條）

- (1) 任何人如有以下情況，即喪失在選舉中獲提名為候選人的資格及當選為議員的資格—
- (a) 是—
 - (i) 司法人員；或
 - (ii) 訂明的公職人員；或
 - (iii) 立法會的人員或立法會管理委員會的職員；或
 - (b) 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；或
 - (c) 已被裁定犯叛逆罪；或
 - (d) 在提名當日或選舉當日正因服刑而受監禁；或

¹ 原訟法庭於 2012 年 6 月 21 日就黃軒璋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。日後的立法會選舉會按屆時有效的法例進行。任何人士如欲在立法會補選獲提名為候選人，並對他／她的提名資格有疑問，他／她可徵詢獨立的法律意見。

- (e) 在不局限(b)段的原則下，被裁定或曾被裁定犯以下罪行，而選舉於或將於其被定罪的日期後的5年內舉行—
- (i) 任何罪行（不論是在香港或是在任何其他地方被定罪），並就該罪行被判處為期超過3個月而又不得選擇以罰款代替的監禁（不論是否獲得緩刑）；或
 - (ii) 在違反《選舉（舞弊及非法行為）條例》（第554章）的情況下作出舞弊或非法行為；或
 - (iii) 《防止賄賂條例》（第201章）第II部所訂的罪行；或
 - (iv) 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；或
- (f) 因本條例或任何其他法律的施行而—
- (i) 無資格在選舉中成為候選人或當選為議員；或
 - (ii) 喪失在選舉中成為候選人或當選為議員的資格；或
- (g) 是香港以外地方的政府的代表或該政府的受薪政府人員；或
- (h) 是香港以外任何地方的國家級、地區級或市級立法機關、議院或議會（中華人民共和國的全國或地方人民代表大會或人民協商機構除外）的成員；或
- (i) 是未獲解除破產的人，或於過去5年內在沒有向債權人全數償還債務的情況下，獲解除破產或與其債權人訂立《破產條例》（第6章）所指的自願安排的人。
- (2) 任何人如根據《精神健康條例》（第136章）已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，即喪失在選舉中獲提名為候選人的資格，但如在其後根據該條例被裁斷為已有能力處理和管理其財產及事務，則根據本款喪失資格的人有獲提名為候選人的資格。
- (2A) 如有以下情況，某人亦喪失在任何補選中獲提名為候選人的資格—
- (a) 該人—
 - (i) 根據第14條辭去議員席位，而其辭職在截至該補選當日為止的6個月期間內生效；或
 - (ii) 在截至該補選當日為止的6個月期間內，根據第13(3)條被視為已辭去議員席位；及
 - (b) 在有有關辭職通知或不接受席位的通知生效後，並無換屆選舉舉行。
- (3) 任何人如根據《精神健康條例》（第136章）已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，即喪失當選為議員的資格，但如在其後根據該條例被裁斷為已有能力處理和管理其財產及事務，則根據本款喪失資格的人有當選為議員的資格。
- (4) 任何人如在提名期結束後已不再與某功能界別（區議會（第一）功能界別及區議會（第二）功能界別除外）有密切聯繫，則該人即喪失當選為該功能界別的議員的資格。
- (5) 在本條中—
- "司法人員"(judicial officer)指擔任《公務員絀用委員會條例》（第93章）第2條所界定的司法職位的人；
- "訂明的公職人員"(prescribed public officer)指—
- (a) 公務員絀用委員會主席；
 - (b) 廉政專員、副廉政專員及擔任在《廉政公署條例》（第204章）下的任何其他職位的人；
 - (c) 申訴專員及根據《申訴專員條例》（第397章）第6條獲委任的人；
 - (d) 選舉管理委員會的成員；
 - (e) 金融管理局的行政總裁及該局的高層管理人員，包括科主管、行政總監、經理及該局僱用的律師；或
 - (ea) 個人資料私隱專員及其根據《個人資料（私隱）條例》（第486章）僱用或聘用的人；
 - (eb) 平等機會委員會的主席及由該委員會根據《性別歧視條例》（第480章）僱用或聘用的人；
 - (f) 受僱於政府部門或政策局而在該政府部門或政策局任職（不論該職位屬永久性或臨時性的）的人。

When person is disqualified from being nominated as a candidate and from being elected as a Member (section 39 of the Legislative Council Ordinance (Cap. 542))

- (1) A person is disqualified from being nominated as a candidate at an election, and from being elected as a Member, if the person-
- (a) is-
 - (i) a judicial officer; or
 - (ii) a prescribed public officer; or
 - (iii) an officer of the Legislative Council or a member of staff of The Legislative Council Commission; or
 - (b) has, in Hong Kong or 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 been substituted for the sentence; or

- (ii) received a free pardon¹; or
 - (c) has been convicted of treason; or
 - (d) on the date of nomination, or of the election, is serving a sentence of imprisonment; or
 - (e) without limiting paragraph (b), where the 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) in Hong Kong or any other place, of an offence for which the person has been sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine; or
 - (ii) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); or
 - (iii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
 - (iv) of any offence prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541); or
 - (f) is-
 - (i) ineligible to be a candidate, or to be elected as a Member, at the election; or
 - (ii) disqualified from being a candidate, or from being elected as a Member, at the election, because of the operation of this or any other law; or
 - (g) is a representative or salaried functionary of a government of a place outside Hong Kong; or
 - (h) is a member of any national, regional or municipal legislature, assembly or council of any place outside Hong Kong, other than a people's congress or people's consultative body of the People's Republic of China, whether established at the national or local level; or
 - (i) is an undischarged bankrupt or, within the previous 5 years, has either obtained a discharge in bankruptcy or has entered into a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with the person's creditors, in either case without paying the creditors in full.
- (2) A person is also disqualified from being nominated as a candidate at an election if the person has been found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs, but a person disqualified under this subsection is eligible for nomination as a candidate if, under that Ordinance, it is subsequently found that the person has become capable of managing and administering his or her property and affairs.
- (2A) A person is also disqualified from being nominated as a candidate at a by-election if—
- (a) within the 6 months ending on the date of the by-election—
 - (i) the person's resignation under section 14 as a Member took effect; or
 - (ii) the person was taken under section 13(3) to have resigned from office as a Member; and
 - (b) no general election was held after the relevant notice of resignation or notice of non-acceptance took effect.
- (3) A person is also disqualified from being elected as a Member if the person has been found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs, but a person disqualified under this subsection ceases to be disqualified if, under that Ordinance, it is subsequently found that the person has become capable of managing and administering his or her property and affairs.
- (4) A person is also disqualified from being elected as a Member for a functional constituency (other than the District Council (first) functional constituency and the District Council (second) functional constituency) if, since the close of nominations, the person has ceased to have a substantial connection with the constituency.
- (5) In this section-
- "judicial officer" (司法人員) means the holder of a judicial office, as defined in section 2 of the Public Service Commission Ordinance (Cap. 93);
- "prescribed public officer" (訂明的公職人員) means any of the following-
- (a) the Chairman of the Public Service Commission;
 - (b) the Commissioner and Deputy Commissioner of the Independent Commission Against Corruption and the holder of any other office under the Independent Commission Against Corruption Ordinance (Cap. 204);
 - (c) The Ombudsman and the holder of any appointment under section 6 of The Ombudsman Ordinance (Cap. 397);
 - (d) a member of the Electoral Affairs Commission;
 - (e) the chief executive of the Monetary Authority and any member of the senior management of that Authority, including divisional heads, executive directors, managers and counsel employed by that Authority;
 - (ea) the Privacy Commissioner for Personal Data and any person employed or engaged by him or her

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) to be unconstitutional. On 12 July 2012, the Government announced its decision not to appeal against the judgment. The future Legislative Council elections will be held in accordance with the prevalent electoral laws. Any person who would like to be nominated as a candidate for a Legislative Council By-election and is doubtful about his/her eligibility for nomination may seek independent legal advice.

- under the Personal Data (Privacy) Ordinance (Cap. 486);
- (eb) the Chairperson of the Equal Opportunities Commission and any person employed or whose services are engaged by the Commission under the Sex Discrimination Ordinance (Cap. 480);
- (f) any person holding an office, whether permanent or temporary, in a Government department or bureau and employed in the department or bureau.

獲提名的候選人須遵從的規定（《立法會條例》（第542章）第40條）

- (1) 除非符合以下條件，否則任何人不得獲有效提名為某選區或選舉界別選舉的候選人—
 - (a) 該人已以或已由他人代其以根據《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方式，向有關選舉主任繳存按金；及
 - (b) 提名表格載有或附有一
 - (i) 一項示明該人會擁護《基本法》和保證效忠香港特別行政區的聲明；及
 - (ii) 一項關於該人的國籍以及他是否有中華人民共和國以外的國家的居留權的聲明；及
 - (iii) 一項由該人作出的採用承諾形式的誓言，表明他如獲選則不會在其任期內作出任何引致他有以下情況的事情—
 - (A) 成為—
 - (I) 第39(5)條所指的訂明的公職人員；或
 - (II) 立法會的人員或立法會管理委員會的職員；
 - (B) 在香港或任何其他地方被判處死刑；
 - (C) 被裁定犯叛逆罪；
 - (D) 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）的情況下作出舞弊或非法行為；或
 - (II) 《防止賄賂條例》（第201章）第II部所訂的罪行；或
 - (III) 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；
 - (E) 由於本法例或任何其他法例的實施而喪失在選舉中獲選為議員的資格；
 - (F) 成為香港以外地方的政府的代表或該政府的受薪政府人員；
 - (G) 成為香港以外任何地方的國家級、地區級或市級立法機關、議院或議會（中華人民共和國的全國或地方人民代表大會或人民協商機構除外）的成員；
 - (H) 成為中央人民政府或任何其他國家或地區的武裝部隊的成員；或
 - (I) （如是某功能界別（區議會（第一）功能界別及區議會（第二）功能界別除外）選出的議員）不再與有關功能界別有密切聯繫。
- (2) 該人必須簽署該等聲明。
- (3) 按金須為《規例》為施行本條而訂明的款額。

What requirements are to be complied with by persons nominated as candidates (section 40 of the Legislative Council Ordinance (Cap. 542))

- (1) A person is not validly nominated as a candidate for an election for a constituency unless-
 - (a) a deposit has, in the manner prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), been lodged by or on behalf of the person with the Returning Officer concerned; and
 - (b) the nomination form includes or is accompanied by-
 - (i) a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region; and
 - (ii) a declaration as to the person's nationality and as to whether or not the person has a right of abode in a country other than the People's Republic of China; and
 - (iii) a promissory oath given by the person to the effect that, if elected, he or she will not do anything during his or her term of office that results in his or her-
 - (A) becoming-
 - (I) a prescribed public officer within the meaning of section 39(5); or
 - (II) an officer of the Legislative Council or a member of staff of The Legislative Council Commission;
 - (B) being sentenced to death in Hong Kong or any other place;
 - (C) being convicted of treason;
 - (D) being convicted-
 - (I) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); or
 - (II) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

- (III) of any offence prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541);
 - (E) being disqualified from being elected as a Member at an election because of the operation of this or any other law;
 - (F) becoming a representative or salaried functionary of a government of a place outside Hong Kong;
 - (G) becoming a member of any national, regional or municipal legislature, assembly or council of any place outside Hong Kong, other than a people's congress or people's consultative body of the People's Republic of China, whether established at the national or local level;
 - (H) becoming a member of the armed forces of the Central People's Government or any other country or territory; or
 - (I) in the case of a Member elected for a functional constituency (other than the District Council (first) functional constituency and the District Council (second) functional constituency), ceasing to have a substantial connection with the constituency.
- (2) The person must sign the declarations.
 - (3) The deposit is to be of such an amount as is prescribed by the regulations for the purposes of this section.

不得就多於一個選區或選舉界別獲得提名（《立法會條例》（第542章）第41條）

- (1) 任何人在已獲提名為某地方選區的選舉的候選人之時，他沒有資格同時獲提名為另一地方選區或任何功能界別的選舉的候選人；而任何人在已獲提名為某功能界別的選舉的候選人之時，他沒有資格同時獲提名為另一功能界別或任何地方選區的選舉的候選人。
- (2) 已名列某地方選區的提名名單的人，在同一選舉中，沒有資格名列該選區的另一獲提名候選人名單。
- (3) 已名列區議會（第二）功能界別的提名名單的人，在同一選舉中，沒有資格名列該界別的另一獲提名候選人名單。

Person not to be nominated for more than one constituency (section 41 of the Legislative Council Ordinance (Cap. 542))

- (1) A person is not eligible to be nominated as a candidate for a constituency if the person is currently nominated as a candidate for another constituency.
- (2) The name of a person whose name is included in a nomination list for a geographical constituency is not, at the same election, eligible to be included in another list of candidates nominated for the constituency.
- (3) The name of a person whose name is included in a nomination list for the District Council (second) functional constituency is not, at the same election, eligible to be included in another list of candidates nominated for the constituency.

18. 《立法會條例》（第542章）第3(2)(b)條列明某人與某功能界別有密切聯繫的情況包括（但不限於）為該功能界別的團體選民的成員、會員、合夥人、僱員或（如該團體是法人團體）高級人員或（如該團體不是法人團體）人員，或為該團體選民的團體成員或屬於指明為該功能界別的選民的某類別人士。倘準候選人對其與某功能界別是否有密切聯繫一事有任何疑問，他／她應向其法律顧問查詢。

According to section 3(2)(b) of the Legislative Council Ordinance (Cap. 542), the circumstances in which a person has a substantial connection with a functional constituency include, but are not limited to, being a member, partner, officer or employee of a corporate elector of the constituency or a corporate member of such a corporate elector or belonging to a class of persons specified as being electors of the constituency. If a prospective candidate is not clear whether he/she has a substantial connection with the functional constituency or not, he/she should consult his/her own legal advisor.

19. 有關建築、測量、都市規劃及園境界功能界別的組成請參閱《立法會條例》（第542章）第20K條。

Please refer to section 20K of the Legislative Council Ordinance (Cap. 542) for the composition of the architectural, surveying, planning and landscape functional constituency.

20. 請注意下列有關在此提名表格提供個人資料的說明－

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

(a) **資料用途**

就此提名表格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、有關的選舉主任及其他有關的政府部門和機構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 nomination form will be used by the Electoral Affairs Commission, the Registration and Electoral Office, the relevant Returning Officer and other related government departments and organisations for election-related purposes.

(b) **資料轉介**

提名表格會供公眾查閱直至有關的選舉結果公告於憲報刊登為止。在展示前，表格內所有身分證明文件號碼、出生日期（年份除外）、候選人通訊地址、電話號碼、傳真號碼及電郵地址（提供予傳媒及公眾查閱的聯絡資料除外），以及見證人住址將會被遮蓋。候選人須注意，如選舉主任決定某提名無效，他／她必須在提名表格上批註其決定及作出該決定的理由，該等資料亦會供公眾查閱。就此提名表格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、機構或人士，包括但不限於法院，用於與選舉有關的用途。

Transfer of information

The nomination form will be made available for public inspection until the relevant notice of election result is published in the Gazette. All identity document numbers, date of birth (except the year), candidate's correspondence address, telephone numbers, fax number and email address (except contact information for the media and public inspection), and witness' residential address in the form will be covered before display. Candidates are reminded that, should the Returning Officer decide that a nomination is invalid, he/she is required to endorse on the nomination form his/her decision and the reason(s) for it, which will be made available for public inspection. The personal data and other related information supplied in connection with this nomination form may also be provided to other authorised departments, organisations or persons including but not limited to the law courts for election-related purposes.

(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／她在提名表格所提供的個人資料。

Access to Personal Data

A person has the right to request access to and correction of the personal data he/she supplied in the nomination form in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **個人資料保障原則**

候選人在收集提名人的個人資料以填寫提名表格時，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 subscribers in completing the nomination form, 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**

關於透過本提名表格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 nomination form (including request 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.

填寫中文姓名及主要住址／通訊地址的注意事項
Points to note when filling in the Chinese Name and
the Principal Residential / Correspondence Address

第一部分：中文姓名

Part I: Chinese Name

候選人在填寫中文姓名時須嚴格依照在其身分證明文件（指候選人記錄在地方選區正式選民登記冊內的資料所依據的身分證明文件，通常是其香港身分證）上所顯示的繁體字或簡體字寫法（按情況而言）。

The candidate should strictly follow the writing of his/her Chinese name as shown on his/her identity document (being the identity document based on which the particulars of the candidate are recorded in the geographical constituencies final register, which is usually his/her Hong Kong Identity Card) in terms of Traditional Chinese or Simplified Chinese (as the case may be).

例子 –

Examples -

香港身分證上姓名 Name on Hong Kong Identity Card	提名表格上姓名 Name on Nomination Form		
	可以接受 Acceptable	不可以接受 Unacceptable	與香港身分證上寫法不同的字 Character written differently from that on the Hong Kong Identity Card
葉廣強	葉廣強	叶廣強 葉广強 葉廣强	“叶” “广” “强”
温宝琼	温宝琼	溫宝琼 温寶琼 温宝瓊	“溫” “寶” “瓊”
萬恆傑	萬恆傑	万恆傑 萬恒傑 萬恆杰	“万” “恒” “杰”

第二部分：主要住址／通訊地址

Part II: Principal Residential / Correspondence Address

候選人在填寫主要住址／通訊地址時，應確保有關的中、英文資料完整並依照以下格式及例子排列－

The candidate should make sure that the principal residential / correspondence address information in Chinese and English is complete and in the order as shown in the format and examples below-

格式

Format

中文住址

Chinese Address

* 香港／九龍／新界	XXX	XX 街 XX 號		
區域	地區	街道名稱及號數		
XX 大廈	X 座	X 樓	X 室	
大廈／屋邨／鄉村名稱	座	樓	室	

英文住址

English Address

Flat X	X / F	Block X	XXX Building	
Room / Flat	Floor	Block	Name of Building / Estate / Village	
XX XXX Street	XXXXX	* Hong Kong / Kowloon / New Territories		
No. & Name of Street	District	Region		

* 請刪去不適用者。

Please delete whichever is inapplicable.

例子一

Example 1

主要住址（中文）：* 香港／九龍／新界 中環明街 38 號耀華閣 B 座 15 樓 A 室
Principal Residential Address in Chinese

主要住址（英文）：Flat A, 15/F, Block B, Yiu Wah Tower, 38 Ming Street, Central, * Hong Kong / ~~Kowloon~~ / New Territories
Principal Residential Address in English

例子二

Example 2

主要住址（中文）：* 香港／九龍／新界 南丫島莫志新村 99 號 4 樓
Principal Residential Address in Chinese

主要住址（英文）：4/F, 99 Mok Chi Sun Tsuen, Lamma Island, * Hong Kong / ~~Kowloon~~ / New Territories
Principal Residential Address in English

例子三

Example 3

主要住址（中文）：* 香港／九龍／新界 上水燕子村 2 巷 29 號 4 樓

Principal Residential
Address in Chinese

主要住址（英文）：4/F, No. 29, Lane 2, Yin Ji Village,

Principal Residential Sheung Shui, * Hong Kong / Kowloon / New Territories
Address in English

例子四

Example 4

主要住址（中文）：* 香港／九龍／新界 沙頭角沙頭角道洞北村 89 號〔村民信箱 3999 號〕^(見註)

Principal Residential
Address in Chinese

主要住址（英文）：(Villager's Letter Box 3999)^(see note) No. 89, Tung North Village, Sha Tau Kok

Principal Residential Road, Sha Tau Kok, * Hong Kong / Kowloon / New Territories
Address in English

註： 根據《選舉管理委員會（選舉程序）（立法會）規例》（第 541D 章）第 19 條，選舉主任必須將一份關於某人是否獲有效提名的決定的通知，按提名表格上所提供的主要住址送交該人及有關選區的每名獲有效提名的候選人，因此候選人須在提名表格上提供足夠資料（如主要住址接收郵件有困難，則可同時提供信箱號碼）以便選舉主任送交有關通知。

Note: Since the Returning Officer has to send a notice of a decision that a person is validly nominated or is not validly nominated to the person concerned and each validly nominated candidate for the constituency concerned and such notice must be sent to his/her principal residential address in accordance with Section 19 of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), the candidate should provide sufficient information (if there is difficulty in receiving mail through the principal residential address, please provide letter box number as well) in the form to facilitate delivery of the Returning Officer's notification.