

### **Collection of Election Donations**

1. Any person or organisation<sup>Note</sup> (including a political party) acting as an agent to solicit, receive or collect election donations for a candidate or some candidates is advised to:

- (1) have the prior consent/authorisation of the candidate(s);
- (2) set up a dedicated ledger account for receiving and handling the election donations;
- (3) state the apportionment of the donations between candidates or other parties if more than one candidate or other parties are involved;
- (4) comply with all the requirements under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554) in respect of election donations as if the donations are received by the candidate(s) direct. For example, if the donation is more than \$1,000, a receipt to the donor by the concerned candidate instead of the agent should be issued to the donor;
- (5) ensure that clear information is provided to donors so that they are fully aware of the purpose/use of their donations; and
- (6) apply to the Secretary for Home Affairs for permission if the donations are collected through fund-raising activities in a public place for non-charitable purposes.

2. On the other hand, while candidates would not be prohibited to solicit donations on the behalf of political parties or any other organisations, they must make sure that the message is clear enough so that members of the public are adequately advised of the purpose and nature of the donation and would in no circumstances be misled to believe that the donation was solicited and used for the election of the candidates themselves.

*[Added in September 2015]*

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<sup>Note</sup> All costs incurred by the person or organisation during the process of rendering the relevant service to the candidate(s) in this regard should be counted towards election expenses and the relevant requirements governing appointment of election expense agents as set out in Chapter 6 must be complied with. If the person renders his/her service for the candidate free of charge, voluntarily, personally and in his/her own time, the service is regarded as "voluntary service" according to section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554). The candidate is, therefore, not required to include such service costs in his/her election expenses (this exemption does not apply to the service rendered by an organisation).