

Collection of Election Donations

1. Any person or organisation^{Note} (including a political party) acting as an agent for a candidate or candidates to solicit, receive or collect election donations is advised to:

- (1) have the prior consent/authorisation of the candidate(s);
- (2) set up a dedicated ledger account for receiving and handling election donations;
- (3) state the apportionment of 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 in the case of donations received by the candidate(s) direct. For example, for donation of more than \$1,000, a receipt should be issued to the donor by the candidate concerned instead of the agent;
- (5) ensure that donors are clearly advised of the purpose(s)/use of their donations; and
- (6) apply for permission from the Secretary for Home and Youth Affairs if the donations are collected through fund-raising activities in a public place for non-charitable purposes.

2. On the other hand, though there is no prohibition against the solicitation of donations by a candidate on behalf of a political party or any other organisation, he/she must make sure that the message conveyed is clear enough so that members of the public are well advised of the purpose and nature of the donation and that in no circumstances would they be misled to believe that the donation is solicited and used for the election of the candidates.

^{Note} In this context, all costs incurred by the person or organisation in the course of rendering service to the candidate(s) should be counted towards election expenses, and are therefore subject to the relevant requirements governing authorisation of election expenses agents as set out in Chapter 6. If the person renders his/her service to the candidate free of charge, voluntarily, personally 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 the costs of such service in his/her election expenses (this exemption does not apply to service(s) rendered by an organisation).