Appendix 12
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Acceptance of Election Donations

1. Any person or organisation[1] (including a political party) acting as an agent for a candidate or candidates to solicit, receive or accept election donations shall:

(a) obtain the prior consent/authorisation of the candidate(s);

(b) set up a dedicated ledger account for receiving and handling election donations;

(c) state the apportionment of donations between candidates or other persons/organisations if more than one candidate or other persons/organisations are involved;

(d) comply with all the requirements under the Elections (Corrupt and Illegal Conduct) Ordinance in respect of election donations, as in the case of donations accepted by the candidate(s) direct. For example, for election donations of more than $1,000, a receipt should be issued to the donor by the candidate concerned instead of the agent, etc.;

(e) ensure that donors are clearly advised of the purpose(s)/use(s) of their donations; and

(f) apply for permission from the Secretary for Home and Youth Affairs in advance if the donations are accepted 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 the behalf of a political party or any other organisation, he must make sure that the message of the donation is clear enough so that members of the public are well advised of the purpose and nature of the donation, and in no circumstances would they be misled that the donation solicited is used for the election of the candidate.

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[1] All costs incurred by any person or organisation in the course of providing relevant service to the candidate(s) should be counted as election expenses, and are therefore subject to the relevant requirements governing the authorisation of election expense agents as set out in Chapter 6 of the "Guidelines on Election-related Activities in respect of the Rural Representative Elections". If the person handles electioneering matters for the candidate in his own time voluntarily, personally and free of charge, the service provided by him is regarded as "voluntary service" according to s 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). The candidate is not required to include the costs of such service in his election expenses (this exemption does not apply to service(s) provided in the capacity of an organisation).