

A permit for organising a flag day is issued on the following conditions –

- (a) The permittee shall ensure that the flag sellers and persons organising the flag sale are aware of and comply with the permit conditions.
- (b) Sale of flags in public places is permitted only for the time and date specified in the permit.
- (c) All subscriptions are to be purely voluntary and no pressure should be brought on any person either to subscribe or to collect subscription or to contribute in any other way.
- (d) No person should benefit improperly from the proceeds of the flag selling activity.
- (e) The occasion of flag sale in public places may not be used for direct commercial promotional purposes.
- (f) Unless accompanied by their parents or guardians, no children under 14 years of age are to be permitted to sell flags [Guardian refers to a guardian appointed under or acting by virtue of the Guardianship of Minors Ordinance (Cap. 13) or other statutory provisions.]
- (g) Flags should not be sold to persons in vehicles on roads or highways or on board a public transport.
- (h) Flag sellers should not cause annoyance or obstruction in public places, including but not restricted to areas next to the entrances/exits of public transport (e.g. ferry piers, Stations of all lines of the Mass Transit Railway, The Peak Tramways Stations, Airport Passenger Terminal Building, etc). If complaint is received from the public about any nuisance or inconvenience caused, flag sellers should act in accordance

with the advice given by police officers at the scene or by the management authority of the venues concerned.

- (i) Permission must also be obtained from the relevant authorities, including the owner or the authority responsible for the management of the venue(s), for the sale of flags.
- (j) The money collection bags should bear the name of the permittee and should be marked “This flag day has been approved by the Social Welfare Department”.
- (k) Information on the design of the money collection bags to be used and for the flags to be sold on the flag day should be submitted to the Department before the flag day.
- (l) The gross proceeds raised should be deposited in a designated bank account of the permittee. Within 90 days after the flag day, the permittee shall cause the money raised in the flag day, less any expenses incurred (including expenses on printing and stationery), to be applied or to be credited to the bank account, for the purposes specified in the permit.
- (m) The funds raised must be used only for the purposes specified in the permit. The permittee must inform the public of the gross receipts, expense and the net proceeds generated by the collection, and the usage of the donations collected.
- (n) Expenses in connection with the flag day should not exceed ten percent of gross receipts.
- (o) The account of the flag day, which should indicate separately the amount raised by street collections and by other forms of appeals in connection with the flag day, shall be reviewed by an accountant or firm or corporate practice whose name appears on the list of certified public accountants (CPA) holding practising certificates or on the list of firms or corporate practice registered under the Professional Accountants Ordinance, published in the Gazette by the Registrar of the Hong Kong

Institute of Certified Public Accountants under Section 32(1) of the Professional Accountants Ordinance, Cap. 50.

- (p) The account with the review report prepared by the accountant or firm or corporate practice thereon shall be published in at least one local Chinese language newspaper and one local English language newspaper within 90 days after the flag day, and a copy of the account certified by the accountant or firm or corporate practice and original copies of the said newspaper cuttings shall be forwarded to the Director of Social Welfare at the same time.
- (q) Proceeds from a flag day and the usage of the donations collected should be shown separately in the Audited Annual Financial Statement of the permittee, a copy of which should be lodged with the Department when available for record purpose.

In addition to the above, organisers of regional flag sale should also observe the following conditions –

- (a) Sale of flags in public places is permitted only for the time, date and region specified in the permit.
- (b) Prior approval from the Department must be obtained for the colour and design of the money collection bags to be used and of the flags to be sold on the flag day.
- (c) All promotional materials including letters for recruiting volunteers must include the clause designated by the Social Welfare Department for promoting the permission for three organisations to conduct regional flag sale in Hong Kong Island region, Kowloon region and the New Territories region respectively on the same flag day.

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