



二零一二至一三年度全港賣旗日公開籌款許可證的發證條件
Conditions of Public Subscription Permit
for Holding Territory-wide Flag Days in 2012-13

根據《簡易程序治罪條例》(第 228 章)第 4(17)(i)條發出的二零一二至一三年度全港賣旗日公開籌款許可證的發證條件如下：

A Public Subscription Permit (the Permit) for organising a territory-wide flag day in 2012-13 is issued under Section 4(17)(i) of the Summary Offences Ordinances, Cap. 228 on the following conditions:

- (a) 獲發許可證的機構須確保賣旗者和籌辦賣旗活動者均清楚知悉及嚴格遵守許可證所列條件。
The permittee shall ensure that the flag sellers and persons organising the flag sale are fully aware of and strictly comply with the permit conditions.
- (b) 賣旗活動只可在許可證指定的時間及日期於公眾地方舉行。
Sale of flags in public places is permitted only for the time and date specified in the Permit.
- (c) 所有捐款必須出於自願，不得強逼任何人捐款、收集捐款，或以任何其他方式捐助。
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) 除指定的受惠對象外，其他人不得從賣旗活動所籌得款項中獲取利益。
No person should benefit improperly from the proceeds of the flag selling activity.
- (e) 在公眾地方舉行的賣旗活動不應被用作商業推廣用途。
The occasion of flag sale in public places may not be used for direct commercial promotional purposes.
- (f) 除非有家長或監護人陪同，否則十四歲以下的兒童不得參與賣旗〔監護人指根據《未成年人監護條例》(第 13 章)或其他法定條款委任的監護人〕。
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) 不得向道路或公路上的車輛乘客或公共交通工具上的乘客賣旗。
Flags should not be sold to persons in vehicles on roads or highways or on board a public transport.
- (h) 賣旗時不得阻礙或滋擾他人或阻塞公眾地方，包括但不局限於各公共交通的出入口〔例如渡輪碼頭、香港鐵路轄下各路線的車站、山頂纜車站及機場客運大樓等〕。如有市民投訴賣旗活動造成滋擾或帶來不便，賣旗者應遵照現場警方人員或場地的管理機構所發出的指示。
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) 賣旗活動亦必須得到有關當局(包括用作舉辦賣旗活動場地的管理當局或業主)批准。
Permission must also be obtained from the relevant authorities, including the owner or the management authority of the venue(s), for the sale of flags.

- (j) 獲發許可證的機構須在賣旗錢袋上清楚顯眼地標示機構名稱，並註明「賣旗日已獲社會福利署批准舉辦」或“*This flag day has been approved by the Social Welfare Department.*”
The money collection bags for flag sale should mark clearly and prominently the name of the permittee and the statement “*This flag day has been approved by the Social Welfare Department*” or 「賣旗日已獲社會福利署批准舉辦」。
- (k) 獲發許可證的機構須於賣旗日前向社會福利署遞交賣旗日所採用的賣旗錢袋及旗紙的設計式樣。
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 SWD before the flag day.
- (l) 賣旗活動所籌得款項應存入獲發許可證機構的一個指定的銀行戶口。在賣旗日後的九十天內，獲發許可證的機構須在扣除所有開支（包括印刷及文具費用）後，將賣旗所得款項的餘款，用於許可證上列明的用途或存入指定用途的銀行帳戶內。
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) 所籌得的款項，必須用於申請書內所述的用途；獲發許可證的機構更需向公眾人士交代是次賣旗活動所籌得款項的總收入、開支、淨收入以及善款用途。
The funds raised must be used only for purposes specified in the application. 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) 舉辦賣旗日的有關支出，不得超過所籌得總收入的百分之十。
Expenses in connection with the flag day should not exceed ten percent of gross receipts.
- (o) 獲發許可證的機構必須在賣旗日帳目結算表內列明街頭賣旗收入及其他與賣旗日有關的捐獻，並將該結算表交由會計師或會計師事務所或執業法團審閱。有關的會計師或會計師事務所或執業法團，須屬香港會計師公會註冊主任按《專業會計師條例》（第 50 章）第 32(1)條的規定，在香港特別行政區政府的憲報公布的持有執業證書的會計師或根據《專業會計師條例》註冊的事務所或執業法團。
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 practices 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) 在賣旗日後九十天內，獲發許可證的機構須在最少一份本地中文報章及一份本地英文報章刊登帳目以及會計師或會計師事務所或執業法團的審閱報告，並向社會福利署署長一併提交經會計師或會計師事務所或執業法團核證該帳目的真確副本和有關的剪報的正本。
The flag day 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) 賣旗日的捐款收入及賣旗日捐款淨收入的用途必須獨立列載於獲發許可證的機構經審計的年度財務報告內。經審計的年度財務報告表的副本須提交社會福利署作記錄。
Proceeds raised in the flag day and the usage of the net proceeds should be shown separately in the Audited Annual Financial Statement (AFS) of the permittee, a copy of which should be lodged with SWD when available for record purpose.

其他須遵守的事項 Other Points to Observe

申請人 / 許可證的持有者除必須遵守許可證所列的條件外，亦須按個別情況遵守下列各項：

Apart from complying with the conditions specified in the Permit, Applicant / Permit Holder should observe the following where applicable:

- (1) 作為許可證的持證人，貴機構必須對本許可證批准的賣旗籌款活動所籌得的捐款負責及確保妥善使用所籌得的款項。
As the Permit holder, your organisation are held accountable for the donations collected and the proper use of the donations in relation to the flag day fund-raising activities approved under the Permit.
- (2) 機構應為義工制訂賣旗活動安排的清晰指引，及採取預防措施，防止任何詐騙的行為。若貴機構發現遺失錢袋或有關物品，或懷疑有詐騙行為，請立即與警方聯絡，尋求協助。
The Permit Holder should prepare clear guidelines to volunteers for flag day arrangements and to take precautions against possible fraud. In case of loss of money collection bags or associated materials, or any suspected fraudulent acts, your organisation should contact the Police immediately to seek their help.
- (3) 貴機構如希望更改在賣旗日申請表格中所列的原先擬定的賣旗日計劃，必須事先以書面向本署申請批准。
Prior approval from SWD must be sought in writing for any changes to your original flag day plan as indicated in your flag day application.
- (4) 如貴機構決定不舉行是次賣旗日，必須於賣旗日期的最少四個月前以書面通知本署。
If your organisation wish to withdraw from organising your flag day, you should inform SWD of your decision in writing at least four months before your flag day.
- (5) 貴機構須按規定，於賣旗日期最少三個月前，向本署遞交賣旗日所採用的賣旗錢袋及旗紙的設計式樣。賣旗日所採用的賣旗錢袋上應清楚顯示貴機構的名稱。
Your organisation are required to submit information on the design of money collection bags to be used and flags to be sold on the flag day to SWD at least three months before your flag day. The name of your organisation should be shown clearly on the money collection bags to be used on the flag day.
- (6) 貴機構的地址及聯絡資料包括電話、傳真及電郵等，如有更改，應立刻通知本署。
If there are changes in the address and contact information of your organisation including telephone number, facsimile number and e-mail address, you should inform SWD immediately.
- (7) 社會福利署已公布《慈善籌款活動內部財務監管指引說明》及《慈善籌款活動最佳安排參考指引》分別供慈善機構參考和自願遵守。慈善機構可於社會福利署網頁 http://www.swd.gov.hk/tc/index/site_pubsvc/page_controlofc/ 瀏覽或下載這兩份文件。廉政公署已推出「慈善機構及籌款活動的管理」防貪錦囊，供慈善機構參考，慈善機構可於廉政公署網頁 http://www.icac.org.hk/tc/prevention_and_education/pt/index.html 瀏覽或下載這份文件。
SWD has promulgated respectively the “Guidance Note on Internal Financial Controls for Charitable Fund-raising Activities” and the “Reference Guide on Best Practices for Charitable Fund-raising Activities” for reference and voluntary compliance by the charities. Charitable organisations may visit SWD’s Homepage to browse or download these documents at http://www.swd.gov.hk/en/index/site_pubsvc/page_controlofc/. The Independent Commission Against Corruption (ICAC) has launched the Best Practice Checklist “Management of Charities and Fund-raising Activities” for reference by charities. Charitable organisations may visit ICAC Homepage to browse or download the document at http://www.icac.org.hk/en/prevention_and_education/pt/index.html.

二零一二至一三年度分區賣旗日公開籌款許可證的發證條件
**Conditions of Public Subscription Permit
for Holding Regional Flag Days in 2012-13**

根據《簡易程序治罪條例》(第 228 章)第 4(17)(i)條發出的二零一二至一三年度分區賣旗日公開籌款許可證的發證條件如下：

A Public Subscription Permit (the Permit) for organising a regional flag day in 2012-13 is issued under Section 4(17)(i) of the Summary Offences Ordinances, Cap. 228 on the following conditions:

- (a) 獲發許可證的機構須確保賣旗者和籌辦賣旗活動者均清楚知悉及嚴格遵守許可證所列條件。
The permittee shall ensure that the flag sellers and persons organising the flag sale are fully aware of and strictly comply with the permit conditions.
- (b) 在公眾地方進行的賣旗活動，只限於許可證內所載的指定時間、日期及地區。
Sale of flags in public places is permitted only for the time, date and region specified in the Permit.
- (c) 所有捐款必須出於自願，不得強逼任何人捐款、收集捐款，或以任何其他方式捐助。
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) 除指定的受惠對象外，其他人不得從賣旗活動所籌得款項中獲取利益。
No person should benefit improperly from the proceeds of the flag selling activity.
- (e) 在公眾地方舉行的賣旗活動不應被用作商業推廣用途。
The occasion of flag sale in public places may not be used for direct commercial promotional purposes.
- (f) 除非有家長或監護人陪同，否則十四歲以下的兒童不得參與賣旗〔監護人指根據《未成年人監護條例》(第 13 章)或其他法定條款委任的監護人〕。
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) 不得向道路或公路上的車輛乘客或公共交通工具上的乘客賣旗。
Flags should not be sold to persons in vehicles on roads or highways or on board a public transport.
- (h) 賣旗時不得阻礙或滋擾他人或阻塞公眾地方，包括但不局限於各公共交通的出入口〔例如渡輪碼頭、香港鐵路轄下各路線的車站、山頂纜車站及機場客運大樓等〕。如有市民投訴賣旗活動造成滋擾或帶來不便，賣旗者應遵照現場警方人員或場地的管理機構所發出的指示。
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) 賣旗活動亦必須得到有關當局（包括用作舉辦賣旗活動場地的管理當局或業主）批准。
Permission must also be obtained from the relevant authorities, including the owner or the management authority of the venue(s), for the sale of flags.

- (j) 獲發許可證的機構須在賣旗錢袋上清楚顯眼地標示機構名稱，並註明「賣旗日已獲社會福利署批准舉辦」或“*This flag day has been approved by the Social Welfare Department*”。
- The money collection bags for flag sale should mark clearly and prominently the name of the permittee and the statement “*This flag day has been approved by the Social Welfare Department*” or 「賣旗日已獲社會福利署批准舉辦」。
- (k) 賣旗所採用的賣旗錢袋及旗紙，其顏色及設計必須事先得到社會福利署批准，以避免兩個或以上機構於同一賣旗日使用顏色相同或設計相似的賣旗錢袋及旗紙而令公眾人士混淆。在正常情況下，賣旗錢袋及旗紙的顏色及設計將按機構遞交有關資料的先後次序來審批。
- Prior approval from SWD 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 to avoid clash of colour scheme or similarity in design which may cause confusion to the public. Approval of the colour scheme and design would normally be given on a first-come-first-served basis, according to the dates of submission of the information by the permittees for endorsement.
- (l) 有關賣旗日的所有宣傳資料（包括招募義工的信件）必須清楚說明獲批准的賣旗區域，並須加上由社會福利署指定的訊息，以宣傳同日共有三間機構獲批准分別在港島區、九龍區及新界區進行分區賣旗。
- All promotional materials including letters for recruiting volunteers must state clearly the approved region for flag sale, and include the message designated by SWD 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.
- (m) 賣旗活動所籌得款項應存入獲發許可證機構的一個指定的銀行戶口。在賣旗日後的九十天內，獲發許可證的機構須在扣除所有開支（包括印刷及文具費用）後，將賣旗所得款項的餘款，用於許可證上列明的用途或存入指定用途的銀行帳戶內。
- 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.
- (n) 所籌得的款項，必須用於申請書內所述的用途；獲發許可證的機構更需向公眾人士交代是次賣旗活動所籌得款項的總收入、開支、淨收入以及善款用途。
- The funds raised must be used only for the purposes specified in the application. 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.
- (o) 舉辦賣旗日的有關支出，不得超過所籌得總收入的百分之十。
- Expenses in connection with the flag day should not exceed ten percent of the gross receipts.
- (p) 獲發許可證的機構必須在賣旗日帳目結算表內列明街頭賣旗收入及其他與賣旗日有關的捐獻，並將該結算表交由會計師或會計師事務所或執業法團審閱。有關的會計師或會計師事務所或執業法團，須屬香港會計師公會註冊主任按《專業會計師條例》（第 50 章）第 32(1)條的規定，在香港特別行政區政府的憲報公布的持有執業證書的會計師或根據《專業會計師條例》註冊的事務所或執業法團。
- 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 practices 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.

- (q) 在賣旗日後九十天內，獲發許可證的機構須在最少一份本地中文報章及一份本地英文報章刊登帳目以及會計師或會計師事務所或執業法團的審閱報告，並向社會福利署署長一併提交經會計師或會計師事務所或執業法團核證該帳目的真確副本和有關的剪報的正本。

The flag day 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.

- (r) 賣旗日的捐款收入及賣旗日捐款淨收入的用途必須獨立列載於獲發許可證的機構經審計的年度財務報告內。經審計的年度財務報告表的副本須提交社會福利署作記錄。

Proceeds raised in the flag day and the usage of the net proceeds should be shown separately in the Audited Annual Financial Statement (AFS) of the permittee, a copy of which should be lodged with SWD when available for record purpose.

其他須遵守的事項 Other Points to Observe

申請人 / 許可證的持有者除必須遵守許可證所列的條件外，亦須按個別情況遵守下列各項：

Apart from complying with the conditions specified in the Permit, Applicant / Permit Holder should observe the following where applicable:

- (1) 作為許可證的持證人，貴機構必須對本許可證批准的賣旗籌款活動所籌得的捐款負責及確保妥善使用所籌得的款項。

As the Permit holder, your organisation are held accountable for the donations collected and the proper use of the donations in relation to the flag day fund-raising activities approved under the Permit.

- (2) 機構應為義工制訂賣旗活動安排的清晰指引，及採取預防措施，防止任何詐騙的行為。若貴機構發現遺失錢袋或有關物品，或懷疑有詐騙行為，請立即與警方聯絡，尋求協助。

The Permit Holder should prepare clear guidelines to volunteers for flag day arrangements and to take precautions against possible fraud. In case of loss of money collection bags or associated materials, or any suspected fraudulent acts, you should contact the Police immediately to seek their help.

- (3) 貴機構如希望更改在賣旗日申請表格中所列的原先擬定的賣旗日計劃，必須事先以書面向本署申請批准。

Prior approval from SWD must be sought in writing for any changes to your original flag day plan as indicated in your flag day application.

- (4) 如貴機構決定不舉行是次賣旗日，必須於賣旗日期的最少四個月前以書面通知本署。

If your organisation wish to withdraw from organising your flag day, you should inform SWD of your decision in writing at least four months before your flag day.

- (5) 貴機構須按規定，於賣旗日期最少三個月前，向本署遞交賣旗日所採用的賣旗錢袋及旗紙的設計式樣。賣旗日所採用的賣旗錢袋上應清楚顯示貴機構的名稱。

You are required to submit information on the design of money collection bags to be used and flags to be sold on the flag day to SWD at least three months before your flag day. The name of your organisation should be shown clearly on the money collection bags to be used on the flag day.

- (6) 貴機構的地址及聯絡資料包括電話、傳真及電郵等，如有更改，應立刻通知本署。

If there are changes in the address and contact information of your organisation including telephone number, facsimile number and e-mail address, you should inform SWD immediately.

- (7) 社會福利署已公布《[慈善籌款活動內部財務監管指引說明](#)》及《[慈善籌款活動最佳安排參考指引](#)》分別供慈善機構參考和自願遵守。慈善機構可於社會福利署網頁http://www.swd.gov.hk/tc/index/site_pubsvc/page_controlofc/ 瀏覽或下載這兩份文件。廉政公署已推出「[慈善機構及籌款活動的管理](#)」防貪錦囊，供慈善機構參考，慈善機構可於廉政公署網頁http://www.icac.org.hk/tc/prevention_and_education/pt/index.html 瀏覽或下載這份文件。
- SWD has promulgated respectively the “[Guidance Note on Internal Financial Controls for Charitable Fund-raising Activities](#)” and the “[Reference Guide on Best Practices for Charitable Fund-raising Activities](#)” for reference and voluntary compliance by the charities. Charitable organisations may visit SWD’s Homepage to browse or download these documents at http://www.swd.gov.hk/en/index/site_pubsvc/page_controlofc/. The Independent Commission Against Corruption (ICAC) has launched the Best Practice Checklist “[Management of Charities and Fund-raising Activities](#)” for reference by charities. Charitable organisations may visit ICAC Homepage to browse or download the document at http://www.icac.org.hk/en/prevention_and_education/pt/index.html.

社會福利署
二零一一年十二月
Social Welfare Department
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