

Sample
Points to Note to Owners when Appointing Proxies¹

1. Please note the importance of your voting right and exercise such right in person as far as possible.
2. You should give careful consideration to the appointment of proxy and should only appoint a person whom you trust with a view to ensuring that the proxy would act in your best interests.
3. Never sign an instrument of proxy in blank and hand over the instrument of proxy to another person for processing.
4. Lodge the instrument of proxy personally before the specified time limit in accordance with the method of collection of instruments of proxy as specified in the notice of meeting (e.g. by delivering it to the secretary of the MC or depositing it in the collection box at the specified location as stated in the notice of meeting, etc.).
5. Before lodging the original instrument of proxy, make and retain copies for future reference and verification.
6. Pay attention to the time and place (if applicable) when the MC opens the collection box of the instruments of proxy, so as to witness the process.
7. Check whether receipts have been received and examine the list of flats, in respect of which instruments of proxy have been sent, posted at a prominent place in the building to ensure that the instruments of proxy have been received by the MC. Owners should check with the MC secretary if in doubt.
8. You must comply with the Prevention of Bribery Ordinance (Cap. 201) at all times.

¹ The best practices under Annex C should also be applicable to meeting of the owners for appointing management committee and Form 1 in Schedule 1A to the BMO, with necessary and suitable adaptations to be made.

Sample

Statement of Purposes in respect of Collection of Personal Data

(to be attached to each proxy instrument, for reference only)

Purpose of Collection

1. This instrument is to be used by you (the owner) to appoint a proxy in accordance with the Building Management Ordinance (Cap. 344) (“the Ordinance”) and he / she will attend the owners’ meeting of the owners’ corporation (OC) / the annual general meeting of the OC on your behalf and any adjourned meeting (if applicable). Your proxy will form the quorum and vote on your behalf at the meeting.
2. The personal data provided by you and your proxy on this instrument will be kept by the Management Committee (MC) of the OC and handled in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486). The MC, including the Chairperson, Secretary, and the manager, may use the personal data and disclose to the Authority and authorised officers of the Ordinance, other bureaux / departments of the Government, relevant persons and organizations for the following purposes:
 - (a) To follow up the appointment of your proxy and giving of voting instructions (if any);
 - (b) To communicate with you and / or your proxy, when necessary, to determine the validity of your appointment; and / or
 - (c) To follow up complaints / disputes related to the appointment of proxy.

Consent of your Proxy

3. You should provide your proxy with this statement, informing him / her of the purpose for collecting his / her personal data, and obtain the consent of your proxy in using his / her personal data provided in this instrument.

Classes of Transferees

4. The personal data provided by you and your proxy on this instrument could be disclosed to other owners of the building, the Authority and authorised officers of the Ordinance, other bureaux / departments of the Government, relevant persons and organizations for the purposes mentioned in paragraphs 1 and 2 above.

Access and correction to Personal Data

5. You, your proxy and the persons authorised by you in writing, have the rights of access and correction to the personal data (including the right to obtain a copy of this instrument) as provided on this instrument in accordance with sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486).

Enquiries

If there are enquiries concerning the personal data collected by means of this instrument, including requests for access to and correction of data, please contact the MC secretary (Telephone Number: _____).

I (the owner) have read and agree with the above.

Signature of owner: _____

Name of owner: _____

(To be sealed with its seal or stamp and signed by an authorised person by the body corporate for that purpose if the owner is a body corporate)

I (the proxy) have read and agree with the above.

Signature of proxy: _____

Name of proxy: _____