

Declaration(s) by Proxy and Owner's Voting Instructions (Sample)

(for reference only)

[Instructions: The following procedures should be followed when using this form –

- (a) when appointing a proxy, besides filling in the proxy instrument (i.e. Form 2 of Schedule 1A to the Building Management Ordinance (Cap. 344) (BMO)), the owner concerned should pass this form to the proxy for completion of and signature at **Part A**. The owner and the proxy should also sign the “Statement of Purposes in respect of Collection of Personal Data” (statement) in this document. The owner should lodge this form (with **Part A** completed and the statement signed) to the management committee (MC) Secretary together with the proxy instrument¹⁰;*
- (b) in addition to (a), if the meeting for which the proxy is appointed has resolutions to be put to vote concerning “large-scale procurement” and with options “for” and “against” only, an owner may set out his/her voting instructions by completing **Part B** of this form, and the proxy concerned should complete **Part C** of this form;*
- (c) upon receipt of this form, the MC Secretary (or the Deed of Mutual Covenant (DMC) manager/property management company (PMC) assisting the MC Secretary) should affix the chop(s) of the MC/DMC manager/PMC on each part (Part A to Part C and the statement) of the form that has been completed and signed, make a copy of this form showing the chop(s) affixed, and keep this form in a safe place;*
- (d) the acknowledgement of receipt of the proxy instrument should be accompanied by a copy each of –*
 - (i) the proxy instrument;*
 - (ii) the proxy's declaration that the proxy instrument is honestly acquired from the owner (in **Part A**);*
 - (iii) the owner's voting instructions (in **Part B**, if any);*
 - (iv) the proxy's declaration that he/she will follow the voting instructions of the owner (in **Part C**, if any); and*
 - (v) the statement*

showing the chop(s) affixed, and issued to the owner concerned by leaving it at the flat of the owner who made the instrument, or depositing it in the letter box for the flat before the time for the holding of the meeting; and

¹⁰ This form does not form any part of the proxy instrument.

(e) when the meeting is held, **Part B** (i.e. the owner's voting instructions) (if applicable and completed) should be detached and passed to the proxy who should use it as a ballot paper and vote on the relevant resolution.]

Part A: Proxy's Declaration on Acquiring the Proxy Instrument (to be completed by the proxy appointed)

I, (name of proxy), holder of HKID Card No., hereby declare that the proxy instrument (serial number:) (if any) is honestly acquired from (name of owner).

Dated this day of
Signature of proxy:

Part B: Owner's Voting Instructions (to be completed by the owner)

*[Note: For practicability, this part should **only be applicable** to resolutions (a) concerning "large-scale procurement"; and (b) with options "for" and "against" only.]*

[Note: Owners should give careful consideration to the appointment of proxies and only appoint persons whom they trust to be their proxies, with a view to ensuring that their voting instructions would be respected and be carried out.]

Name of owner:.....
Unit of building:.....
Date of Meeting:.....

Please put a ✓ in the appropriate box(es) to indicate the voting instruction(s). The owner may specify the voting instructions or in the absence of any indication, the proxy may vote on each resolution as he or she thinks fit.

Item for resolution: Item 1	For	Against
.....	<input type="checkbox"/>	<input type="checkbox"/>
Serial no.:..... Number of shares:.....	Signature of owner(s):	
Item for resolution: Item 2	For	Against
.....	<input type="checkbox"/>	<input type="checkbox"/>
Serial no.:..... Number of shares:.....	Signature of owner(s):	

Part C: Proxy's Declaration on Following Owner's Voting Instructions (to be completed by the proxy)

I, (name of proxy), holder of HKID Card No., hereby declare that I will follow the voting instructions (if any) of the said owner.

Dated this day of

Signature of proxy:

Statement of Purposes in respect of Collection of Personal Data (Sample)

(for reference only)

Purpose of Collection

1. This form is to be used by (a) you (the owner) to set out your voting instructions (if applicable) to your proxy (if appointed) in respect of resolutions concerning "large-scale procurement" and with options "for" and "against" only; and (b) the proxy to make declaration that the proxy instrument is honestly acquired from an owner and he/she will follow the voting instructions (if any) made by the owner for the general meeting of the owners' corporation (OC) /the annual general meeting of the OC and any adjourned meeting (if applicable). Your proxy will form the quorum and vote on your behalf at the meeting.
2. The chairman and/or secretary of the management committee (MC) of the OC (and the DMC manager/PMC providing assistance) may follow up on the personal data you provided in this form

and, if necessary, will contact you for the purpose of verifying the validity of the appointment of your proxy.

3. You, the proxy appointed, the chairman and/or the secretary of the MC (and the DMC manager/PMC providing assistance), the Authority and an authorized officer under the BMO may inspect Part A of this form.
4. Part B of this form may serve as a ballot paper for the relevant resolution(s). You, the proxy appointed, the chairman and/or the secretary of the MC (and the DMC manager/PMC providing assistance), the Authority and an authorized officer under the BMO may inspect Parts B and C of this form (and any copies of them).

Consent of your Proxy

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

Classes of Transferees

6. The OC and its MC may disclose the personal data you and the proxy appointed provided in this form to other owners of this building for the purposes mentioned in paragraphs 2 and 3 above.

Access to Personal Data

7. You have the rights of access and correction to the personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486). Your right of access includes the right to obtain your personal data contained in this form.

Enquiries

Enquiries concerning the personal data collected by means of this form, including requests for access to and correction of data, should be directed to the MC secretary (Telephone Number: _____)

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

Name of owner:

Signature of owner:

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

Name of proxy:

Signature of proxy: