

Review Body on Bid Challenges

投標投訴審裁組織

Complaint Form

投訴表格

Part I **Particulars of Complainant** **第一部分** **投訴人資料**

Name of Supplier

供應商名稱

Name of Contact Person

聯絡人姓名

Position 職位

Tel. No. 電話號碼

Fax No. 傳真號碼

E-mail Address 電郵地址

Correspondence Address

通訊地址

Part II **Particulars of Procuring Entity** **第二部分** **採購實體資料**

Name of Procuring Entity

採購實體名稱

Name of Contact Person

聯絡人姓名

Position 職位

Tel. No. 電話號碼

Fax No. 傳真號碼

E-mail Address 電郵地址

Correspondence Address

通訊地址

Part III **The Complaint**
第三部分 **投訴詳情**

(1) Details of the Procurement Concerned
有關採購項目細節

Contract/Tender No. 合約／招標編號	_____
Brief Description/Nature of the Procurement 採購項目簡要說明／性質	_____
Date of Tender Invitation 招標日期	_____
Date of Contract Awarded (If Applicable) 批出合約日期（如適用）	_____
Contract/Procurement Value HK\$ 合約／採購項目價值 港幣	_____ 元

(2) Details of the Suspected Breach (To be Continued)
涉嫌違規細節（待續）

Relevant Agreement ¹ (Please “✓” where appropriate) 有關協定 ¹ (請在適當方格加上「✓」號)	<input type="checkbox"/>	The 1994 Agreement on Government Procurement of the World Trade Organization (1994 WTO GPA) 《世界貿易組織政府採購協定》1994 年版本
	<input type="checkbox"/>	The Revised Agreement on Government Procurement of the World Trade Organization (Revised WTO GPA) 《世界貿易組織政府採購協定》修訂版本
	<input type="checkbox"/>	Chapter 12 of the Hong Kong, China – New Zealand Closer Economic Partnership Agreement (HKC-NZ CEP Agreement) 《中國香港與新西蘭緊密經貿合作協定》第 12 章
	<input type="checkbox"/>	Chapter 9 of the Free Trade Agreement between Hong Kong, China and Chile (HKC-Chile FTA) 《中國香港與智利自由貿易協定》第 9 章
	<input type="checkbox"/>	Chapter 13 of the Free Trade Agreement between Hong Kong, China and Australia (HKC-AU FTA) 《中國香港與澳洲自由貿易協定》第 13 章

¹ Full English texts of the relevant agreements are available on the internet at the following links –
有關協定的英文文本載於下列網址 –

- 1994 WTO GPA 《世界貿易組織政府採購協定》1994 年版本
http://www.wto.org/english/docs_e/legal_e/gpr-94_01_e.htm
- Revised WTO GPA 《世界貿易組織政府採購協定》修訂版本
http://www.wto.org/english/docs_e/legal_e/rev-gpr-94_01_e.htm
- Chapter 12 of the HKC-NZ CEP Agreement 《中國香港與新西蘭緊密經貿合作協定》第 12 章
https://www.tid.gov.hk/english/ita/fta/hknzcep/text_agreement.html
- Chapter 9 of the HKC-Chile FTA 《中國香港與智利自由貿易協定》第 9 章
https://www.tid.gov.hk/english/ita/fta/hkclfta/text_agreement.html
- Chapter 13 of the HKC-AU FTA 《中國香港與澳洲自由貿易協定》第 13 章
https://www.tid.gov.hk/english/ita/fta/hkaufta/text_agreement.html

(2) Details of the Suspected Breach (Continued) 涉嫌違規細節 (續)	
Relevant Provision(s) Breached 相關條文編號	Basis of Challenge 投訴理據
<i>(Please attach documentary support, including the tender document (where appropriate), and use additional sheets if necessary)</i> <i>(請附上有關證明文件，包括招標文件 (如適用)。如以上空位不敷應用，請另紙列明。)</i>	
Date of Noticing the Breach(es)² 得知違規情況日期 ² _____	

² The time limit for submission of challenges is within 10 working days in normal cases and 30 working days for exceptional cases, from the date the complainant knew or reasonably should have known the basis of the challenge. Please provide documentary support showing when the breach(es) came to the complainant's notice.

在正常情況下，投訴人應在知道或理應知道投訴的理據後 10 個工作天內提交投訴，例外情況則可延至 30 個工作天內。請提供文件證明得知違規情況的日期。

(3) Details of Consultation³ with the Procuring Entity (If Any)
與採購實體協商³情況（如適用）

Date of Consultation

協商日期

Form of Consultation

協商形式

Verbal Negotiation / Written Request (*Delete if inappropriate*)

口頭商議 / 書面要求（請刪去不適用者）

Form of Remedy Required

要求的補救方式

Reason(s) of

Unsuccessful Consultation

協商未能達至

成果的原因

(4) Form of Remedy Now Required (If Different from (3) Above)

現在要求的補救形式（如有別於上列第(3)項者）

³ If the complainant has not yet entered into any form of consultation with the procuring entity concerned to resolve the complaint, it may consult the procuring entity in the first instance before deciding whether to lodge a complaint to this Review Body or in parallel. Nevertheless, the time limit for submission of challenges to this Review Body as stated in Footnote 2 should be adhered to in any event.

投訴人若仍未與採購實體協商解決投訴，可先與採購實體協商才決定是否向本審裁組織投訴，又或同步向本審裁組織投訴。但無論如何，須遵守註2所述向本審裁組織遞交投訴的時限。

(5) Request for Rapid Interim Measures to be Implemented by the Procuring Entity
要求採購實體採取迅速臨時措施

Any Request for Rapid Interim Measures
是否要求採取迅速臨時措施

Yes / No (*Delete if inappropriate*)
是 / 否 (請刪去不適用者)

If Yes, Rapid Interim
Measures Requested
如「是」的話，
要求的迅速臨時措施

Justification
理據

Part IV Declaration
第四部分 聲明

I, acting and signing for and on behalf of the complainant named in Part I above, hereby declare that –

本人代表第一部分所述的投訴人行事及簽署。現謹此聲明 –

- Should this complaint be accepted for inquiry by the Review Body, the complainant and its representative(s) (if any) agree to abide by the Rules of Operation of the Review Body (available at http://www.tid.gov.hk/english/aboutus/advcommittee/files/reviewbody_rules.pdf).
若投標投訴審裁組織接受審理此投訴，投訴人及其代表（如有）同意遵守審裁組織的運作規則（載於 http://www.tid.gov.hk/tc_chi/aboutus/advcommittee/files/reviewbody_rules.pdf）。
- The complainant meets the definition of “supplier” as stipulated in the Rules of Operation of the Review Body, and agrees to provide relevant supporting documents upon request.
投訴人符合審裁組織的運作規則所訂明對「供應商」的定義，並同意在被要求的情況下提供相關證明文件。
- The facts given in the form are correct to the best of the complainant’s knowledge.
就投訴人所知，表格述及的事實均正確無誤。

I also consent to the Review Body obtaining my personal data kept by a third party, which are considered relevant and necessary for the purpose of processing this complaint.

此外，倘審裁組織認為必須向第三者索取其所持有關於本人的個人資料，方能處理本投訴，本人同意審裁組織可向該第三者索取該等資料。

**Authorised Signature
with Company Chop**
獲授權代表簽署

及公司蓋印 : _____

Name and Post Title

姓名及職銜 : _____

Tel. No.

電話號碼 : _____

Date

日期 : _____

Important Notes

注意事項

1. The form must be fully completed either in English or Chinese and delivered to the **Secretariat of the Review Body on Bid Challenges, 18/F, Trade and Industry Tower, 3 Concorde Road, Kowloon City, Hong Kong**. For enquiries, please contact us at (852) 3403 6227 (tel), (852) 2390 7479 (fax) or rbgpa@tid.gov.hk (e-mail).
請以中文或英文填寫本表格所有部分，並送交香港九龍城協調道 3 號工業貿易大樓 18 樓投標投訴審裁組織秘書處。如有查詢，請致電(852) 3403 6227、傳真至(852) 2390 7479 或電郵至 rbgpa@tid.gov.hk。
2. All parties to a challenge made to the Review Body shall have access to all proceedings. Any correspondence made by the complainant to the Review Body (except for information classified as “confidential” pursuant to the Rules of Operation of the Review Body), including **this complaint form and any attachments thereto, shall be simultaneously copied to the procuring entity**.
投訴所涉及的各方均有權參與所有審理程序。投訴人給予審裁小組的任何函件（根據審裁組織的運作規則列為「機密」的資料除外），包括**本表格及任何附頁**，必須一併分送採購實體。
3. The personal data provided on this form and the attachment(s), if any, will be used by the Review Body for complaint investigation purpose. The data subject has a right of access and correction in respect of personal data in accordance with the Personal Data (Privacy) Ordinance. Request for personal data access and correction should be addressed to the Secretariat of the Review Body at the address in Note 1 above. Please also quote your complaint reference number.
在本表格及其他附頁（如有的話）上填報的個人資料，審裁組織只會用作調查投訴用途。根據《個人資料（私隱）條例》的規定，資料當事人有權查閱或改正其個人資料。資料當事人如欲查閱或改正個人資料，可向審裁組織秘書處提出（地址見上文第 1 項）。提出要求時，請述明投訴檔案號碼。