

立法會
Legislative Council

LC Paper No. CMI/21/01-02

Ref: CB(3)/C/2 (00-04)

Committee on Members' Interests

**Minutes of the seventh meeting
held on Thursday 25 April 2002 at 2:30 pm
in Conference Room B of the Legislative Council Building**

- Members present** : Dr Hon David CHU Yu-lin, JP (Chairman)
Hon SIN Chung-kai (Deputy Chairman)
Hon NG Leung-sing, JP
Hon Cyd HO Sau-lan
- Members absent** : Hon Bernard CHAN
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon YEUNG Yiu-chung, BBS
- Clerk in attendance** : Mrs Betty LEUNG
Chief Assistant Secretary (3)1
- Staff in attendance** : Mr Ricky FUNG, JP
Secretary General
- Mr Ray CHAN
Assistant Secretary General 3
- Mr LEE Yu-sung
Senior Assistant Legal Adviser 1
- Mr Stephen LAU
Senior Assistant Secretary (3)2
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I. Maintaining the Register of Members' Interests in both English and Chinese

(LC Paper No. CMI/15/01-02)

The Chairman advised that a member of the public proposed that the Register of Members' Interests (the Register) should be made available for public inspection in both Chinese and English. The Secretariat had prepared a discussion paper in this regard. He invited **Senior Assistant Legal Adviser (SALA)** to brief members on his findings. **SALA** stated that under Rule 83 of the Rules of Procedure, Members are required to furnish particulars of registrable interests in such form as may be approved by the President. In the absence of any specific language requirement in the Rule, Members may choose to register in either the English or Chinese approved forms. The Official Languages Ordinance (Cap. 5) only provides that the English and Chinese languages are the official languages of Hong Kong for the purposes of court proceedings and communication between the Government or any public officer and members of the public. There is no requirement under that Ordinance or other Ordinances which require a register of this nature to be in both English and Chinese. Members may also note that the returns setting out election donations under the Election (Corruption and Illegal Conducts) Ordinance (Cap. 554) are not required to be made in bilingual form simultaneously.

2. **The Chairman** then invited the clerk to report on the languages that other multi-lingual parliaments use in maintaining their Registers of Members' Interests. **The clerk** reported as follows: In Singapore, the English language is the administrative language and any document written in other official languages, including the declaration of interests, is translated into English, and the Register of Members' Interests is maintained in English. In Switzerland, Members provide particulars of interests in either French or German and these particulars as furnished are entered into the Register of Members' Interests without translation. In Canada, there is no such register as her House of Commons' "House Committee concluded that a Register of Members' interests was not warranted".

3. Referring to the two options as set out in paragraph 8 of LC Paper No. CMI/15/01-02, **the Chairman** asked the clerk to brief members on the options. **The clerk** reported as follows: The first option was to provide a bilingual Register. Members could continue to furnish their registrable interests in either English or Chinese, which would then be translated by the Secretariat. However, in order to avoid inaccuracy, some terms or proper nouns such as the names of persons, office titles and companies would not be translated, unless Members had provided such terms in both Chinese and English. If individual Members so wished, the translated version would be sent to them for vetting before being incorporated into the Register. The translated version would be marked as such and would refer readers to the original version for authenticity. This arrangement would result in additional resources for the Secretariat, as well as for Members.

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There would also be a time lapse, estimated at one to 12 working days, depending on the amount of translation work involved, before the translated versions were ready for incorporation into the Register. As for the other option, Members could continue to furnish particulars of their registrable interests to the Clerk in either Chinese or English, or both, on the form approved by the President, and such filled-in forms were then incorporated into the Register of Members' Interests. This option did not have any resource implications but persons who were not bilingual might be inconvenienced when inspecting the Register. The Chairman invited the meeting to express their views on these two or other options.

4. **The Deputy Chairman** remarked that Members were obliged to furnish particulars of their interests and the legislature should also maintain a high degree of transparency. Hence he was in favour of the first option that the Register should be maintained in both English and Chinese. Members could continue to furnish their registrable interests in either English or Chinese and a translated version would be provided by the Secretariat.

5. **Mr NG Leung-sing** pointed out that the purpose of the Register was to enable the public to monitor the speeches and behaviour of LegCo Members vis-a-vis their personal interest. He did not object to maintaining the Register in both English and Chinese, but opined that the translated version should be marked clearly as such and should refer readers to the original version for authenticity.

6. **Miss Cyd HO** opined that it was not uncommon for documents to be made available in both English and Chinese in Hong Kong. To facilitate public inspections, she supported the proposal of maintaining the Register in both languages, provided that the workload involved would not be significant. However, the translated versions provided by the Secretariat should be sent to Members for vetting before being made public.

7. **Secretary General (SG)** confirmed that the majority of papers issued by the Secretariat were in both English and Chinese versions. **Assistant Secretary General 3 (ASG3)** pointed out that one of the purposes for the Register to be made public was to enhance the transparency of Members' interests and to protect the public's right to information, and the Committee might consider deploying more resources for effective achievement of this purpose.

8. **The Chairman** expressed reservation on the proposal of maintaining the Register in both English and Chinese. Considering that the purpose of maintaining the Register was to provide public information on Members' pecuniary interests, he was of the view that furnishing such particulars in one language would suffice. The provision of a translated version would involve additional staffing resources and workload, and readers would inevitably refer to the original version for authenticity. As a result, the translated version would not be very meaningful and helpful. Nevertheless, in view of the opinions expressed

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by other members, he had no objection to the proposal of maintaining the Register in both English and Chinese.

9. After deliberations, the meeting decided that the Register should be maintained in both English and Chinese. **The Chairman** would report the Committee's decision to the House Committee in due course.

10. The meeting ended at 3:15 p.m.

Council Business Division 3
Legislative Council Secretariat
6 May 2002