

立法會 *Legislative Council*

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Paper for the House Committee Meeting on 10 May 2002

Maintaining the Register of Members' Interests in both English and Chinese

Purpose

Members are invited to note the decision of the Committee on Members' Interests (the Committee) that the Register of Members' Interests (the Register) should be made available for public inspection in both Chinese and English.

Background

2. Rule 83 of the Rules of Procedure provides, among other things, that a Member shall furnish to the Clerk of the Legislative Council, in such form as may be approved by the President, particulars of his registrable interests and any change in such interests. The Rule does not stipulate the language to be used by Members in furnishing such particulars. At present, a Member may register his interests in English or Chinese, or in both, in the form approved by the President, and the form is then entered into and form part of the Register. Since 2 January 2001, the Register has been placed onto the LegCo website, in addition to being deposited in the LegCo Library, for public inspection.

Proposal received by the Committee

3. The Committee received in February this year a proposal from a member of the public that the Register should be made available for public inspection in both Chinese and English.

Deliberations and decisions of the Committee

4. At its meetings on 25 April 2002, the Committee deliberated on the proposal, and made reference to the practices of overseas legislatures with more than one official languages. 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".

5. The Committee also noted the advice of the Legal Adviser that, under Rule 83, 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. Besides, 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. Nevertheless, there is no requirement under that Ordinance or other Ordinances which require a register of this nature to be in both English and Chinese.

6. After deliberations, the Committee considered that Members should have commitments to furnish particulars of their interests and the legislature should maintain a high degree of transparency. To facilitate public inspection of the particulars of Members' interests, and given that the majority of Council papers are issued in both English and Chinese at present, the Committee decided that the Register should be maintained in both English and Chinese.

7. In practice, the Committee accepted the recommendation of the Secretariat that where Members' registrable interests are furnished in either English or Chinese, the Secretariat will provide the translated version. However, to avoid inaccuracy, some terms or proper nouns such as the names of persons, office titles and companies will not be translated, unless Members have provided such terms in both Chinese and English. The translated version will be sent to them for vetting before being incorporated into the Register. The translated version will be marked as such and will refer readers to the original version for authenticity.

Recommendation

8. The House Committee is invited to note the Committee's decision on maintaining the Register in both English and Chinese (paragraphs 6 and 7 above). The Secretariat will complete as soon as possible the translation work of the registrable interests furnished by individual Members. The translated versions will be sent to Members for vetting before being incorporated into the Register.

Council Business Division 3

2 May 2002