

**Consultative Committee on the
Core Arts and Cultural Facilities of
the West Kowloon Cultural District**

Declaration of Interests

Purpose

This paper provides a brief account of the requirement for declaration of interests by persons appointed to serve in Government advisory boards and committees.

Advice Sought

2. Members are invited to -
 - (a) note the requirement for declaration of interests and the two-tier reporting system for declaration of interests for the Members appointed to the Consultative Committee on the Core Arts and Cultural Facilities of the West Kowloon Cultural District and its three Advisory Groups (guidelines at **Annex A**); and

(b) complete the Register of Interests (**Annex B**).

Background

3. At present, there are two systems for declaration of interests for members appointed to the government's advisory and statutory bodies, namely the one-tier reporting system and the two-tier reporting system.

One-tier Reporting System

Under the one-tier reporting system, when a member perceives a potential conflict of interest in a matter placed before the board or committee, he should make a full disclosure of his interest and such declaration of interest shall be recorded in the minutes of the meeting.

Two-tier Reporting System

Under the two-tier reporting system, members are required to disclose their general interests, direct or indirect, pecuniary or otherwise, on appointment to the board or committee. The declaration shall be made on a registration form which would be made available for inspection by members of the public upon request. The registration of interests is in

addition to the report on conflict of interests at board or committee meetings as and when they arise.

Proposed two-tier Reporting Systems

4. It is proposed to adopt the two-tier reporting system for members of the Consultative Committee and its three Advisory Groups. The reason is to protect members from criticisms and embarrassment arising from the existence of any undeclared general interest which may have potential conflicts with the work of the Consultative Committee and its Advisory Groups. This would also maintain higher public confidence in the integrity of Members and in the impartiality of their advice tendered to the Government.

5. The guidelines for the two-tier system and the registration form on declaration of interests are at **Annex A** and **Annex B** respectively. The completed registration forms would be deposited on 25/F, Wanchai Tower for public inspection. Members are invited to complete and return the registration form at Annex B to the Secretary to the Consultative Committee in two weeks' time.

Home Affairs Bureau

April 2006

**Guidelines for Two-Tier Reporting System on
Declaration of Interests**

General Principles

Some public councils, boards and committees are autonomous and have extensive powers over policy and financial matters. To maintain public confidence in the integrity of members (including the chairman), as well as in the impartiality of their advice tendered to the committee, it is important that all members of such committees should disclose their general pecuniary interests on appointment to the committee, in addition to the report of conflicts of interests as and when they arise. To achieve greater transparency, such declarations should be made available for public inspection. By adopting this two-tier reporting system, members of these committees can be protected from criticism or embarrassment arising from the existence of any undeclared general financial interest which may have potential conflict with the work of the committee. The two-tier reporting system consists of the following :

(A) **Register of Members' Interests**

- The chairman and members shall register in writing their personal interests, direct or indirect, pecuniary or otherwise, when they first join the committee, and annually thereafter, to the secretary to the committee. The registration shall be made on a standard form.
- The types of interests required for registration shall include :
 - (i) proprietorships, partnerships or directorships of companies;
 - (ii) remunerated employments, offices, trades, professions or vocations; and
 - (iii) shareholdings in a publicly listed or private company (e.g. 1% or more of the company's issued share capital); and/or
 - (iv) other declarable interests, taking into consideration the nature of work of individual committees.
- A register of members' interests shall be kept by the secretary of the committee which should be made available for inspection on request by any member of the public.

(B) **Declaration of Interests at Meetings**

The following are guidelines governing declaration of

interests at meetings :

- If a member (including the chairman) has any direct personal or pecuniary interest in any matter under consideration by the committee, he must, as soon as practicable after he has become aware of it, disclose to the chairman (or the committee) prior to the discussion of the item.
- The chairman (or committee) shall decide whether a member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.
- When a known direct pecuniary interest exists, the secretary may withhold circulation of relevant papers to the member concerned. Where a member is in receipt of a paper for discussion which he knows presents a direct conflict of interest, he should immediately inform the secretary and return the paper.
- All cases of declaration of interests shall be recorded in the minutes of the meeting.

D. Other declarable interests (to be specified)

Signed: _____

Date : _____

Note 1: Affiliation to arts or cultural groups or bodies related to the work of the Committee may be declared in Part D above.

Note 2: Receipt of Government subventions and/or donations for the organisations to which you are affiliated should not be considered as personal pecuniary interests.

Note 3: The information provided in this form may be disclosed to the public in connection with your appointment as a member of the Consultative Committee/Advisory Group.