

立法會
Legislative Council

LC Paper No. AS 88/04-05

Ref : AM 12/01/19 (Pt 7)

**Subcommittee on Members' Remuneration and
Operating Expenses Reimbursement**

**Minutes of meeting
held on Monday, 1 November 2004
at 8:30 am in Conference Room B of the Legislative Council Building**

- Members Present** : Hon Patrick Lau Sau-shing, SBS, JP (Chairman)
Dr Hon Lui Ming-wah, JP
Hon Mrs Selina Chow Liang Shuk-ye, GBS, JP
Hon Cheung Man-kwong
Hon Howard Young, SBS, JP
Hon Emily Lau Wai-hing, JP
Hon Abraham Shek Lai-him, JP
Hon Wong Ting-kwong, BBS
Hon Tam Heung-man
- Member in Attendance** : Hon Kwong Chi-kin
- Clerk in Attendance** : Mrs Anna Lo
Principal Council Secretary (Administration) (PCS(A))
- Staff in Attendance** : Mr Ricky C C Fung, JP
Secretary General (SG)
- Mr Joseph Kwong
Accountant (ACCT)

I. Election of Chairman

Dr Lui Ming-wah invited nominations for the chairmanship. He nominated Mr Patrick Lau Sau-shing, and the nomination was seconded by Mr Abraham Shek Lai-him.

2. There being no other nominations, Mr Lau was declared Chairman of the Subcommittee.

II. Late Application for Membership

3. The late applications for membership from Mr Cheung Man-kwong and Ms Emily Lau were accepted without objection.

III. Work Plan

4. The Chairman suggested that, as proposed by the House Committee, the Subcommittee might wish to deliberate on the following matters at its future meetings:

- (a) the adjustment of the remuneration and operating expenses reimbursements for Members of the Legislative Council (LegCo);
- (b) the retirement benefits for LegCo Members; and
- (c) the leasing of district offices from related parties by LegCo Members, such as from the Members' affiliated political parties.

5. Ms Emily Lau agreed to these suggestions. She remarked that although it might be a consensus or practice that certain changes related to Members' remuneration and the operating expenses reimbursement system would only apply to Members of the coming terms, it might be necessary to quickly look into areas where changes should be implemented with immediate effect.

6. SG informed the meeting that the Independent Commission Against Corruption (ICAC) had offered to review the system on the reimbursement of LegCo Members' operating expenses. Members' views were sought on this offer.

Action

7. Mr Cheung Man-kwong supported such a review. He said that Members had been disturbed when members of the public or the media queried their reimbursement claims even though these claims had not violated the Secretariat's guidelines for reimbursement. If the guidelines were reviewed and considered by ICAC as reasonable, they would lend a strong support for Members facing such queries. The Chairman added that the ICAC's review and their proposals would help remove grey areas in the guidelines.

8. In reply to Ms Emily Lau, SG and PCS(A) said that the Corruption Prevention Department (CPD) of ICAC approached the Secretariat in the past month or so. It was understood from ICAC that after they had reviewed the reimbursement system for Members of the District Councils (DCs), Home Affairs Department (HAD) had implemented a revised set of guidelines for DC Members since early 2004.

9. Mr Cheung Man-kwong expressed his wish to learn more about the issues studied by ICAC, their proposals and the rationale behind. He also hoped that ICAC would offer solutions for the difficulties faced by LegCo Members.

10. Mrs Selina Chow also supported the proposed ICAC review. In her opinion, a comparison between the reimbursement systems for DCs and the LegCo would be helpful, especially in areas concerning the control and the procedures for claiming reimbursement. Mr Abraham Shek was, however, of the view that the structures of DCs and the LegCo were different, therefore the two reimbursement systems might not be comparable. He opined that a comparison could be made between comparable areas of the two systems after receiving the ICAC's proposals. Mrs Chow acknowledged that it might not be necessary to follow the system for DCs in every aspect. Nonetheless, as public money was involved, members of the public might wish to know why some control measures could be applied to DC Members but not to LegCo Members. She further stressed that only measures appropriate to the situation of LegCo Members should be adopted.

Action

11. Mr Wong Ting-kwong considered the proposed ICAC review necessary because public money was involved. He was concerned about how the ethical standards would be set as such standards would have resource implications: while it would substantially reduce the chances of being implicated in embezzlement cases if every item of a Member's claimed expenses had to be distinctively separated from his/her non-LegCo business (e.g. having a district office and staff located on premises away from the Member's own party office), it would, on the other hand, reduce savings achievable through sharing of resources.

12. The Chairman requested SG to invite representatives from ICAC to attend the next Subcommittee meeting for discussion with members on the scope and approach to be adopted in carrying out the proposed review. SG responded that the Secretariat would also obtain information relating to the ICAC's review on the reimbursement system for DC Members' operating expenses.

Secretariat

13. Members agreed that priority consideration should be given to the issues on LegCo Members' operating expenses, particularly on matters related to the leasing of district offices.

IV. Date of Next Meeting

14. The next meeting would be held on 11 November 2004, Thursday, at 4:30 pm.

15. The meeting ended at 8:52 am.

Legislative Council Secretariat
November 2004