

立法會  
*Legislative Council*

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Tel : 2869 9270  
Date : 25 May 2006  
From : Clerk to Committee on Members' Interests  
To : Hon SIN Chung-kai, JP (Deputy Chairman)  
Hon Emily LAU Wai-hing, JP  
Hon Abraham SHEK Lai-him, JP  
Hon LI Kwok-ying, MH  
Hon Alan LEONG Kah-kit, SC  
Hon Albert Jinghan CHENG

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**Committee on Members' Interests**  
**Follow-up to the ninth Meeting held on 23 May 2006**

**Revised section on Confidentiality Requirement**

Pursuant to the decision of the Committee on Members' Interests (the Committee) at the captioned meeting, and with the concurrence of the Chairman, I now forward, for your consideration, the revised section on Confidentiality Requirement of the *Procedure of the Committee on Members' Interests for Handling Complaints received in relation to the Registration or Declaration of Members' Interests or Members' Claims for Reimbursement of Operating Expenses (the Procedure)*. The Chairman has indicated that she will consult you individually after the House Committee meeting this Friday to enable me to issue the Procedure together with other documents to all LegCo Members on **29 May 2006 (next Monday)**, and invite them to attend the Committee's next meeting scheduled for Friday, 2 June 2006 to express their opinions.

(Mrs Betty LEUNG)  
Clerk to Committee on Members' Interests

c.c. Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP (Chairman)  
SG, LA, ASG3, SALA1

Encl.

## Confidentiality Requirement

**(1721)** All members and other persons attending meetings of the Committee held in camera (except the Member under complaint) shall be required to sign ~~an~~ a confidentiality undertaking that they will not to publish The evidence taken before the Committee ~~and~~ documents presented-produced to it, or its deliberations and decisions, shall not, except in the case of meetings of the Committee held in public, be disclosed by a member or by any other person before if the Committee has presented its investigation report to the Council. Any member who fails to comply with this requirement may be admonished or reprimanded by the Council on a motion to that effect. In a case of publication despite an undertaking ~~Where the Committee finds that a member or other person has breached the undertaking he gave to the Committee, the Committee may then will consider whether and how to deal with the member or that other person on the facts of the particular case, and may take actions including moving a motion in the Council for the admonishment or reprimand of the member under Rule 81 (Premature Publication of Evidence) of the Rules of Procedure, or passing a motion of the Committee expressing its disapproval of the member or that other person for breaching the undertaking.~~

**(22)** Before the Committee informs the Member under complaint of its decision in accordance with paragraph 17 or 20, the latter shall be required to sign a confidential undertaking not to publish any document marked as confidential by the Committee before it has presented its report to the Council. Where the Committee finds that the Member under complaint has breached the undertaking he gave to the Committee, the Committee will consider whether and how to deal with the Member, and may take actions including passing a motion of the Committee expressing its disapproval of the Member for breaching the undertaking.

**(1823)** Meetings of the Committee, including those at which hearings are conducted, shall be held in camera. However, hearings shall be conducted at meetings held in public if the Member under complaint makes such a request.

**(1924)** The transcript of evidence taken at such hearings shall be published in full as far as possible and form part of the report of the Committee.

## Participation of members in the deliberations of the Committee

**(2025)** No member of the Committee shall participate as a member of the Committee in the handling of a complaint or in the meetings of the Committee to deliberate on or inquire into a complaint where the complaint was made by or against him.