

2009年12月9日(星期三)
立法會會議席上
劉健儀議員根據《議事規則》第49B(1A)條
動議譴責甘乃威議員的議案

議案措辭

鑒於甘乃威議員行為不檢(有關詳情一如本議案附表所述)，本會根據《基本法》第七十九(七)條對其作出譴責。

附表

甘乃威議員行為不檢的有關詳情如下所述：

(一) 甘乃威議員向傳媒發表的言論前後不一、有所隱瞞，使公眾對其誠信產生懷疑

傳媒於 2009 年 10 月 4 日報道甘乃威議員因求愛不遂而解僱其女助理，而該女助理是他以公帑聘請協助其履行立法會議員職務的。甘乃威議員在他於同日召開的記者招待會上：

- (i) 否認曾向該女助理示愛，亦沒有透露他曾向該女助理表示好感；及
- (ii) 否認因求愛不遂而解僱該女助理，並指出他是根據聘任合約，以一個月的代通知金終止該女助理的聘任合約，但他並無提及他曾向該女助理表示好感。

然而，當其後有傳媒報道他確曾有向該女助理示愛後，甘議員才於 2009 年 10 月 6 日一個電台節目中承認，他於 2009 年 6 月中，曾在一次與該女助理單獨會面時向她表示好感。

(二) 甘乃威議員對被他評為整體工作表現良好的女助理表示好感遭抗拒後而將她解僱，處事不公

在 2009 年 6 月中，甘乃威議員向其女助理表示好感，其後甘議員察覺到該女助理對他有些抗拒。在 2009 年 9 月初至 9 月中，甘議員邀請該女助理外出用膳，亦遭她拒絕。其後甘議員在 2009 年 9 月 24 日即日終止該女助理的聘任合約，並無解釋解僱原因，但該女助理的整體工作表現被他評為良好。

**Motion to censure Hon KAM Nai-wai
moved under Rule 49B(1A) of the Rules of Procedure
by Hon Miriam LAU Kin-yee
at the Legislative Council meeting
of Wednesday, 9 December 2009**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon KAM Nai-wai for misbehaviour (details as particularized in the Schedule to this motion).

Schedule

Details of misbehaviours of Hon KAM Nai-wai are set out below:

(a) Hon KAM Nai-wai made inconsistent remarks to the media and withheld key information, causing the public to have doubts about his integrity

There were media reports on 4 October 2009 that Hon KAM Nai-wai dismissed his female assistant because of his unsuccessful advances to her. The female assistant was employed with public funds to assist him in performing his duties as a Legislative Council Member. At his press conference held on the same day, Mr KAM:

- (i) denied that he had made advances to his female assistant and did not disclose that he had expressed affection towards her; and
- (ii) denied that he had dismissed his female assistant because of his unsuccessful advances, and pointed out that the employment contract with his female assistant was terminated by giving one-month payment in lieu of notice which was in accordance with the employment contract, but did not mention that he had expressed affection towards her.

However, after the media subsequently reported that he had actually made advances to his female assistant, Mr KAM admitted on 6 October 2009 on a radio programme that he had expressed affection towards his female assistant when he was alone with her on one occasion in mid-June 2009.

(b) Hon KAM Nai-wai was unfair in dismissing his female assistant, whose overall work performance was judged by him to be good, after his expression of affection was rejected by her

In mid-June 2009, Hon KAM Nai-wai expressed affection towards his female assistant. Subsequently, he noticed some signs of his female assistant rejecting him. Between early September and mid-September 2009, Mr KAM invited his female assistant to dine out and was also refused by her. Subsequently on 24 September 2009, he terminated the employment contract with his female assistant with immediate effect without reason assigned, although her overall work performance was judged by him to be good.