

立法會
Legislative Council

LC Paper No. CB(2)698/16-17

(These minutes have been
cleared with the Chairman)

Ref : CB2/HS/3/16

**Subcommittee to Prepare for the Operation of the Select Committee
on the Petition Presented at the Council Meeting of 2 November 2016**

**Minutes of meeting
held on Thursday, 5 January 2017, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon Paul TSE Wai-chun, JP (Chairman)
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon MA Fung-kwok, SBS, JP
Hon Kenneth LEUNG
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon YUNG Hoi-yan

Clerk in attendance : Miss Josephine SO
Chief Council Secretary (2) 2

Staff in attendance : Miss Flora TAI
Assistant Secretary General 2

Mr Timothy TSO
Senior Assistant Legal Adviser 1

Miss Joyce CHAN
Assistant Legal Adviser 1

Mr Raymond LAM
Senior Council Secretary (2) 7

Miss Emma CHEUNG
Legislative Assistant (2) 2

Action

The Subcommittee deliberated (index of proceedings attached at **Annex**).

I. Terms of reference of the Select Committee
(LC Paper No. CB(2)503/16-17(01))

2. Members noted the proposed terms of reference ("TOR") and name of the Select Committee on the Petition Presented at the Council Meeting of 2 November 2016 ("the Select Committee") as set out in paragraphs 5 and 6 of LC Paper No. CB(2)503/16-17(01), which were prepared by the Legislative Council Secretariat on the basis of the substance of the petition presented at the Council Meeting of 2 November 2016 ("the Petition") for members' consideration.

3. Members generally agreed that the Select Committee's TOR should only cover the matters proposed to be examined as set out in the Petition. The TOR should also precisely reflect the substance of the Petition, as well as clearly define the scope of the Select Committee's inquiry. In order to confine the Select Committee's inquiry to the matters specified in the Petition, members agreed to delete "相關事宜" and "包括" from the Chinese text of the proposed TOR and recommend the following as TOR of the Select Committee:

"調查梁振英先生在2011年與澳洲企業UGL Limited簽訂協議 ("UGL協議"), 並於就任行政長官後從該企業收取與UGL協議有關的400萬英鎊款項 ("該款項"), 有否遵從《基本法》第四十七條及行政會議成員利益申報制度下的申報規定、UGL協議與梁先生行政長官的身份有否構成任何利益衝突, 以及該款項根據香港法例是否應予課稅。"

4. Members also agreed to delete "相關" from the Chinese text of the proposed name of the Select Committee and recommend the following as the name of the Select Committee:

"調查梁振英先生與澳洲企業UGL Limited所訂協議的事宜專責委員會"

Action

(*Post-meeting note:* The amended version of the proposed TOR and name of the Select Committee as agreed by members at the meeting, with minor textual amendments to the Chinese version and corresponding amendments to the English version, was circulated to members for information vide LC Paper No. CB(2)569/16-17 on 10 January 2017.)

II. Membership size of the Select Committee and procedure for the nomination of Members for appointment to the Select Committee
(LC Paper No. CB(2)503/16-17(02))

5. Members noted the paper prepared by the Legislative Council Secretariat on the membership size of the Select Committee and the procedure for the nomination and election of Members for appointment to the Select Committee (LC Paper No. CB(2)503/16-17(02)).

6. Dr Priscilla LEUNG, Mr WONG Kwok-kin, Dr Junius HO and Mr Holden CHOW suggested that the membership size of the Select Committee be set at 11 to ensure that the membership size would not be too large as to affect the efficient operation of the Select Committee. Mr Alvin YEUNG, Mr Andrew WAN and Mr LAM Cheuk-ting however considered that by setting the membership size of the Select Committee at 13, more Members could be allowed to participate in its work. As there were divided views among members, the Chairman put the question of the proposed membership size of the Select Committee to vote. Six members voted for a membership size of 11 and four members voted for a membership size of 13 respectively. The Chairman concluded that the Subcommittee would recommend a membership size of 11 for the Select Committee.

7. Members also agreed that the procedure for nomination and election of Members for appointment to the Select Committee as set out in paragraph 7 of LC Paper No. CB(2)503/16-17(02) would be recommended to the House Committee.

III. Any other business

8. The Chairman said that the Subcommittee had completed its work and would report to the House Committee on its deliberations and recommendations accordingly.

(*Post-meeting note:* Members were subsequently informed that the Chairman would report the deliberations of the Subcommittee to the House Committee on 20 January 2017.)

Action

9. There being no other business, the meeting ended at 5:26 pm.

Council Business Division 2
Legislative Council Secretariat
24 January 2017

**Proceedings of the meeting of the
Subcommittee to Prepare for the Operation of the Select Committee
on the Petition Presented at the Council Meeting of 2 November 2016
on Thursday, 5 January 2017, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action Required
000104 - 000135	Chairman	Opening remarks	
Item I - Terms of reference of the Select Committee			
000136 - 003738	Chairman Mr Holden CHOW Mr LAM Cheuk-ting Dr Junius HO Mr Kenneth LEUNG Dr Priscilla LEUNG Ms YUNG Hoi-yan Mr Alvin YEUNG Mr WONG Kwok-kin Mr Andrew WAN Clerk ASG2 SALA1	Expression of views by members on the proposed terms of reference ("TOR") of the Select Committee on the Petition Presented at the Council Meeting of 2 November 2016 ("the Select Committee"). Members' agreement to recommend the following as TOR (Chinese version) of the Select Committee: "調查梁振英先生在2011年與澳洲企業 UGL Limited 簽訂協議 ("UGL 協議"), 並於就任行政長官後從該企業收取與 UGL 協議有關的400萬英鎊款項 ("該款項"), 有否遵從《基本法》第四十七條及行政會議成員利益申報制度下的申報規定、UGL 協議與梁先生行政長官的身份有否構成任何利益衝突, 以及該款項根據香港法例是否應予課稅。"	
003739 - 004005	Chairman Dr Priscilla LEUNG Mr LAM Cheuk-ting	Expression of views by members on the proposed name of the Select Committee. Members' agreement to recommend the following as the name (Chinese version) of the Select Committee: "調查梁振英先生與澳洲企業 UGL Limited 所訂協議的事宜專責委員會"	
Item II - Membership size of the Select Committee and procedure for the nomination of Members for appointment to the Select Committee			
004006 - 005103	Chairman Mr Holden CHOW Mr LAM Cheuk-ting	Expression of views by members on the membership size to be recommended for the Select Committee.	

Time marker	Speaker	Subject(s)/Discussion	Action Required
	Mr WONG Kwok-kin Mr Andrew WAN Dr Junius HO Dr Priscilla LEUNG Mr Alvin YEUNG Mr Kenneth LEUNG		
005104 - 005426	Chairman	Voting on the membership size to be recommended for the Select Committee	
005427 - 005624	Chairman Dr Junius HO	Members' agreement to recommend the procedures for nomination and election of Members for appointment to the Select Committee as set out in paragraph 7 of LC Paper No. CB(2)503/16-17(02). Report of the deliberations and recommendations of the Subcommittee to the House Committee.	
005625 - 005728	Chairman Dr Priscilla LEUNG	Dr Priscilla LEUNG's view on the scheduling of meetings of the Select Committee.	