



來函檔號 YOUR REF :
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3 May 1999

Director of Administration
(Attn : Mrs C YAU, JP)
12th floor, West Wing,
Central Government Offices
11 Ice House Street,
Central, Hong Kong.

Dear Mrs YAU,

**Declaration of interests amongst
Members of the Executive Council**

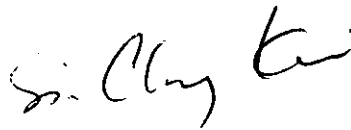
On behalf of the Panel on Information Technology and Broadcasting, I write to seek clarification from the Administration regarding the ways in handling conflict of interest amongst Members of the Executive Council in the development of the Cyberport project.

At the joint meeting of the Panel on Information Technology and Broadcasting and Panel on Planning, Lands and Works on 29 April 1999 when members considered the financial arrangement for the Cyberport project and a related funding proposal due for submission to the Public Works Subcommittee, a Panel member pointed out that as one of the Members of the Executive Council (ExCo) was a senior partner of a consultancy firm commissioned by the Government for the assessment of the Cyberport project, she would like to know if the ExCo Member concerned would be required to declare her individual interest and abstain from any discussion and vote on the Cyberport project in which she might have a direct pecuniary interest. At the meeting, the Secretary for Information Technology and Broadcasting advised that he could not disclose any details of the proceedings of the Executive Council.

Panel members would appreciate it if you could provide a written response to the questions raised by the Panel member and the ways in handling conflict of interest amongst Members of the Executive Council in the development of the Cyberport project.

Thank you for your kind assistance and I look forward to your early reply.

Yours sincerely,



(SIN Chung-kai)

Chairman

Legislative Council

Panel on Information Technology and Broadcasting

- c.c. Hon Edward HO Sing-tin, JP - Chairman, LegCo Panel on Planning,
Lands and Works
Mr K C KWONG, JP, Secretary for Information Technology and
Broadcasting,

政府總部
香港下亞厘畢道



GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
HONG KONG

本函檔號 Our Ref.:

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11 May 1999

The Honourable Sin Chung-kai,
Chairman
Legislative Council Panel
on Information Technology and Broadcasting
Legislative Council Building
Jackson Road
Central
Hong Kong

Dear Mr Sin,

**Declaration of Interests
amongst Members of the Executive Council**

Thank you for your letter of 3 May 1999.

The Executive Council has a long-established mechanism for Members to declare their interests in matters laid before the Council. It is for the Chief Executive to decide, having taken note of the interest declared, whether a Member should participate in the discussion of the matter or be asked to withdraw from the Council during the discussion. The basic principle is to ensure that the advice tendered by Members of the Executive Council to the Chief Executive is disinterested and impartial. This will help maintain public confidence in the integrity of Members of the Executive Council.

As a Member holds a senior position in the company, a division of which has been engaged by the Government to conduct a strategic assessment on the concept of a Cyberport in Hong Kong, that Member has, in accordance with the requirements under the above mechanism, declared an interest in the matter, in the recent discussion of the Cyberport project at the Executive Council. As the interest involved was not a direct and significant pecuniary interest and did not amount to an exclusionary interest, the Member was not excluded from the deliberations of the Council on the matter but did not speak during the discussion on the item. Such declaration of interest has been put on record.

Yours sincerely,

(Mrs Carrie Yau)

Director of Administration

cc The Honourable Edward Ho Sing-tin, JP -
Chairman, LegCo Panel on Planning, Lands and Works
SITB (Mr K.C. Kwong)