

**議員個人利益監察委員會  
就一宗針對何俊仁議員的  
投訴而提交的報告**

**Report of the Committee on Members' Interests  
on a complaint against  
Hon Albert HO Chun-yan**

2013年7月

July 2013

## **Report of the Committee on Members' Interests on a complaint against Hon Albert HO Chun-yan**

### **Introduction**

This is the report of the Committee on Members' Interests ("CMI") on its consideration of a complaint against the Honourable Albert HO Chun-yan about his alleged failure to register his registrable interests under Rule 83 of the Rules of Procedure ("RoP").

### **Membership and terms of reference of CMI as well as its procedure for handling complaints**

2. The membership of CMI is in **Appendix I**.
3. As provided in Rule 73(1)(c) of the RoP, the terms of reference of CMI (**Appendix II**), among others, are to consider any complaint made in relation to the registration and declaration of Members' interests or any complaint of a failure to do so and, if it thinks fit after consideration, investigate such complaint.
4. For the purpose of handling complaints, CMI adopted at its meeting on 26 November 2012 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") (**Appendix III**). The Procedure was issued to all Members on 27 November 2012.
5. The Procedure provides for a two-stage approach in handling complaints, namely the preliminary consideration stage and the investigation stage. Under Paragraph (7) of the Procedure, the purposes of preliminary consideration are to ascertain the subject of the complaint and the provisions of the RoP relevant to the allegations in question, and to gather information relevant to the complaint and the allegations in question. On the basis of information gathered at the preliminary consideration stage, CMI will determine whether it should proceed to investigate the complaint.

## **The complaint**

6. Towards the end of the term of the Fourth Legislative Council ("LegCo"), the Clerk to CMI received on 12 July 2012 an email (**Appendix IV**) from a member of the public alleging that Mr Albert HO had deliberately concealed his directorship and shareholding interests in a company known as Fountain Success Investment Company Limited ("FSICL") as well as his interest in land and property held through that company, and made false declarations. In support of the allegations, there were attached to the email a copy of the Registration Form on Members' Interests ("the Form") in respect of shareholding and land and property furnished to the Clerk to LegCo by Mr HO for the period from October 2008 to July 2012 and documents filed by FSICL with the Companies Registry ("CR") between April 1989 and September 2011 which showed, among other things, that a residential property in the Hong Kong Island was held under the name of FSICL.

7. On 13 July 2012, the Clerk to CMI received another email (**Appendix V**) from the same member of the public refuting Mr Albert HO's explanation, as reported in the press on the same day (**Appendix VI**), that he had omitted to register his interests in FSICL in 2004 and 2008 because he was holding the share in FSICL as a trustee and he had mistakenly thought that he had already transferred the share in FSICL to the beneficial owner.

8. On 14 July 2012, the Clerk to CMI received a further email (**Appendix VII**) from the same member of the public, pointing out that if Mr Albert HO had indeed transferred his share in FSICL to another person as he had claimed, he had then made a false statement when filing the "Annual Return – Certificate of No Change" with CR each year from 2005 to 2011, in which Mr HO had stated, as a director of FSICL, that there had been no change in the shareholding of FSICL since 8 September 2005. It was also alleged that Mr HO and Ms Teresa POON Chiu-yuen (the other shareholder of FSICL) had received pecuniary gains in 2004 by mortgaging the property held under the name of FSICL.

9. Pursuant to Paragraph (1) of the Procedure, the Clerk to CMI verified the identity of the member of the public ("the complainant") upon receipt of the complaint. CMI of the Fourth LegCo forthwith held a meeting on 16 July 2012 to consider the complaint. Since only one day was left before the Fourth LegCo stood prorogued on 18 July 2012, there was insufficient time to process the complaint according to the Procedure. CMI therefore decided not to follow up the complaint and that the complaint be referred to CMI of the Fifth LegCo should the complainant agree. With the consent of the complainant, the complaint was referred to CMI of the Fifth LegCo.

## **Preliminary consideration of the complaint**

10. From 6 December 2012 to 4 June 2013, CMI held a total of five meetings<sup>1</sup> to conduct preliminary consideration of the complaint. All the meetings were held in camera in accordance with Paragraph (23) of the Procedure.

### Subject of the complaint and relevant rules

11. Rule 83(1) of the RoP provides that "every Member shall, not later than the first meeting of each term, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests". The registrable interests are defined in Rule 83(5). Those interests relevant to the complaint are: remunerated directorships of companies, whether public or private (paragraph (a)); land and property (paragraph (g)); and beneficial interest in shareholding of a company of a nominal value greater than one-hundredth of the issued share capital (paragraph (h)) ("the relevant interests"). A copy of Rule 83 of the RoP is in **Appendix VIII**.

12. Given the contents of the complaint, CMI identified the alleged breaches by Mr Albert HO of Rule 83(1) of the RoP as follows:

- (a) That Mr HO had failed to register his directorship in FSICL as an interest under Rule 83(5)(a);
- (b) That Mr HO had failed to register the property held through FSICL as an interest under Rule 83(5)(g); and
- (c) That Mr HO had failed to register his shareholding in FSICL as an interest under Rule 83(5)(h).

13. Paragraph (1) of the Procedure provides that CMI will not consider a complaint which is about a Member's act(s) or omission(s) which allegedly took place seven or more years prior to the date of the complaint. As the complaint was first received on 12 July 2012, CMI decided that the period relevant to the complaint was from 13 July 2005 to 12 July 2012 (both days inclusive) ("the relevant period").

### Information gathered

14. According to the Register of Members' Interests, Mr Albert HO had completed and furnished to the Clerk to LegCo the relevant pages of the Form (**Appendix IX**) to register the relevant interests from the First to Fourth LegCo as follows:

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<sup>1</sup> 6 December 2012, 15 January, 27 February, 8 April and 4 June 2013.

Category of interests	Interests registered by Mr Albert HO				
	on 2 July 1998 in First LegCo	on 4 October 2000 in Second LegCo	on 5 October 2004 in Third LegCo	on 8 October 2008 in Fourth LegCo	on 9 July 2012
Remunerated Directorships	No	No	No	No	FSICL – property holding company
Land and Property	No	No	No	No	–
Shareholdings	FSICL – holding one property in Hong Kong	FSICL – land holding company	FSICL – holding real property in Hong Kong	No	FSICL – property holding company

Table 1: Relevant interests registered by Mr Albert HO from the First to Fourth LegCo

15. CMI notes that on 9 July 2012, three days before the first complaint email was received, Mr Albert HO had written to the Clerk to CMI (**Appendix X**), admitting and apologizing for his failure to register his directorship and shareholding interest in FSICL<sup>2</sup> for the two LegCo terms from 2004 to 2012, and forthwith furnished pages of the Form registering such interests. On the instruction of CMI, the Clerk to CMI wrote to Mr HO on 17 December 2012 and 23 January 2013 (**Appendices XI and XII**), inviting him to provide information and explanations in relation to the complaint. Mr HO's reply letters dated 5 January and 15 February 2013 are in **Appendices XIII and XIV** respectively. Mr HO also attended a meeting of CMI on 8 April 2013 to answer members' questions, the verbatim transcript of which is in **Appendix XV**.

*Alleged failure to register remunerated directorships*

16. According to the registered particulars in the Register of Members' Interests (*Table 1*), Mr Albert HO had not registered his directorship in FSICL at the commencement of the Third and Fourth LegCo on 6 October 2004 and 8 October 2008 respectively, but on 9 July 2012 he registered his directorship in FSICL.

17. Noting under paragraph (a) of the Notes for Directorships on the Form that remunerated directorships include all directorships, of both local and overseas companies, for which a fee, honorarium, allowance or other material benefit is payable, CMI sought Mr Albert HO's clarification on

<sup>2</sup> Mr Albert HO registered his shareholding in Fountain Success Ltd on 6 October 2004 and 9 July 2012 and directorship in that company on 9 July 2012. According to Mr HO's reply letter dated 5 January 2013 (*Appendix XIII*), the full name of that company was "Fountain Success Investment Co. Ltd.", which was the same company referred to by the complainant in her emails.

whether his directorship in FSICL was remunerated. In his reply letters to CMI, Mr HO stated that FSICL had no substantive business. FSICL held under its name a residential property which was used by the family of his younger brother and the monthly rental payable by Ms Teresa POON, his sister-in-law, to FSICL was used to repay the mortgage for the property. According to Mr HO, he had not received any remuneration or obtained any pecuniary interest from the property held under the name of FSICL.

18. CMI had specifically considered the allegation that Mr Albert HO had received pecuniary gains by mortgaging the property in 2004 (*Appendix VII*). Mr HO explained to CMI that the mortgage arrangement was made in order to provide Ms Teresa POON with loan funds for purchasing two cars which were used by her family. Other than holding the residential property and the two cars, FSICL did not have other investments.

#### *Alleged failure to register interests in land and property*

19. According to the registration records in the Register of Members' Interests (*Table 1*), Mr Albert HO had not registered the property held under the name of FSICL as an interest under the category of "Land and Property" during the relevant period.

20. Paragraph 3 of the Notes for Land and Property on the Form provides that "... Registrable interest includes land or property owned by the Member in his own name, or held indirectly such as through a company or through another person. In the case of holding through a company, the interest is registrable where the Member has control of the company or has more than 50% shareholding in it. ...".

21. According to the Annual Return of FSICL filed with CR on 8 September 2005 (*attachment of Appendix VII*), FSICL had only two issued shares during the relevant period and Mr Albert HO held one of them. In other words, Mr HO had 50% shareholding in FSICL during the relevant period, which did not reach the registration threshold for "Land and Property".

#### *Alleged failure to register shareholdings*

22. Under Rule 83(5)(h) of the RoP, a Member has to register his or her shareholding interests in a company if he or she owns more than 1% of the issued share capital of the company. Paragraph (b) of the Notes for Shareholdings in the Form provides that "[s]hareholdings is defined as personal shareholdings and do not include shareholdings held by a Member in the capacity of a nominee shareholder".

23. According to the registration records in the Register of Members' Interests (*Table 1*), Mr Albert HO had registered his shareholding interest in FSICL on 6 October 2004, the date of the first Council meeting of the Third LegCo but he had not registered such interest on 8 October 2008, the date of the first Council meeting of the Fourth LegCo.

24. According to Mr Albert HO, he was holding one of the two issued shares in FSICL as a trustee during the relevant period but he was not in possession of any documents showing the trust relationship. He had omitted to register such interests in 2008 because he had mistakenly thought that he had already transferred the share in FSICL to the beneficial owner.

25. CMI members note that only trusts of land and real property were required by law to be created in writing. A trust of shares in a company is not so required, and it is not uncommon for the creation of bare trust among family members. Nevertheless, given the substantial value of the property concerned and the absence of any written document to show the trust relationship, CMI considers it necessary to invite Mr Albert HO to explain (i) the details of the trust; (ii) why he had registered the shareholding interest in the First to Third LegCo if he had been a nominee shareholder all along; and (iii) why he had mistakenly thought that he had already transferred the share in FSICL to the beneficial owner. CMI notes that in the Annual Returns of FSICL filed with CR each year from 2004 to 2011, Mr HO had stated no change in particulars of directorships and shareholdings in the company, and such information is inconsistent with his claim that he had mistakenly thought that he had already transferred the share in FSICL to the beneficial owner in 2004.

26. In his reply letter dated 15 February 2013 (*Appendix XIV*), Mr Albert HO provided the following information and explanations in relation to his shareholding in FSICL:

- (a) the beneficial owner of the share held in his name was Ms Teresa POON<sup>3</sup>, his younger brother's wife. The property held under the name of FSICL was bought with Ms POON's money. He and Ms POON had not signed any trust document because of mutual trust. The only investments made by FSICL over the past 20 years or so were a property and from time to time one or two cars, and both the property and the cars were used by Ms POON's family;

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<sup>3</sup> According to the copies of the annual returns of FSICL filed with CR attached to the complaint emails, Ms POON was also a director of FSICL and held one of the two shares in FSICL.

- (b) Mr HO and Ms POON had had some discussion between 2004 and 2008 on the transfer of his share to her, and Ms POON had agreed but did not forthwith do so as she was busy. As he had mistakenly thought that the transfer had been effected, he did not register his shareholding interest in FSICL on 8 October 2008;
- (c) it was only when the secretary for FSICL asked him to sign documents for submission to CR in 2008 did he realize that Ms POON had not effected the share transfer;
- (d) he had forgotten to update the registered interests after he realized that the share transfer had not been effected because he was busy with his public duties; and
- (e) the total issued shares of FSICL had recently been increased and he had only 0.01% shareholding in FSICL as a trustee.

27. CMI notes from the enclosures attached to Mr Albert HO's reply letter dated 15 February 2013 that Ms Teresa POON had been allotted 9 998 new shares in FSICL on 11 January 2013. Together with the one share held by her before that, Ms POON is now holding 9 999 of the 10 000 shares in FSICL, and the shareholding of Mr HO has been diluted from 50% to 0.01%.

28. As some members queried why Mr Albert HO was still holding 0.01% shareholding in FSICL after the allotment of new shares to Ms POON in January 2013, CMI invited Mr HO to attend its meeting on 8 April 2013 to clarify the matter.

29. At the meeting, Mr Albert HO explained that he understood that it was not necessary for him to register his shareholding interest in FSICL as he was only a nominee shareholder. The trust between him and his younger brother's wife was created orally without any documentation but he could prove the existence of the trust relationship by retrieving the relevant documents such as bank statements to show that the funds for purchasing the property were from the beneficial owner and not him. He decided not to take this approach as it would be too onerous and time-consuming for him to do so. In the absence of any trust documentation, he had decided to adopt for himself a standard higher than the requirement for the registration of interests under the RoP and had all along chosen to register his shareholding in FSICL. It was for this reason that he had admitted, and apologized for, his failure to register his



shareholding in FSICL on 8 October 2008, in his letter dated 9 July 2012 to the Clerk to CMI. He accepted the responsibility for having failed to register such interest in 2008. According to Mr HO, there was no incentive for him to conceal deliberately his shareholding in FSICL and he had not obtained any benefit from his omission to register such interest.

30. Mr Albert HO also informed CMI that he still held 0.01% of the issued shares in FSICL as a nominee shareholder because his younger brother's wife needed his help in signing cheques as she was not always in Hong Kong. His shareholding in the company would be transferred to her sooner or later. However, upon being pointed out that his claim of holding the share as trustee was not compatible with his registration of the shareholding, Mr HO expressly stated that he should be regarded as holder of the share and not as trustee.

## **CMI's considerations and conclusions**

### Registration of remunerated directorships

31. Based on the information available to it, CMI finds no information to show that Mr Albert HO's directorship in FSICL is remunerated. CMI is satisfied that there was no breach of Rule 83(5)(a) of the RoP on the part of Mr HO as unremunerated directorships are not required to be registered.

32. This notwithstanding, CMI considers that Mr Albert HO's registration of the directorship in FSICL on 9 July 2012 is erroneous given that unremunerated directorships are not required to be registered. While the registration of such interest does not constitute a breach of Rule 83 of the RoP, his registration of such interest may have misled the public that he was a remunerated director of the company.

### Registration of land and property

33. As Mr Albert HO's shareholding in FSICL in the relevant period did not exceed 50%, i.e. the threshold for registration of interests in land and property held through a company, he was not required to register such interest under the category of "Land and Property". CMI is satisfied that there was no breach of Rule 83(5)(g) of the RoP on the part of Mr HO.

### Registration of shareholdings

34. As Mr Albert HO withdrew his claim that he was holding the share in FSICL as trustee, under Rule 83(5)(h) of the RoP, he was required to register such shareholding during the relevant period. As Mr HO has admitted his failure to register such interest on 8 October 2008, CMI

considers that the complaint against Mr HO in this respect is substantiated. CMI decides that further investigation is not necessary and a report will be made to the Council pursuant to Rule 73 of the RoP.

#### Whether sanction should be recommended

35. Under Rule 73(1)(e) of the RoP (*Appendix II*), CMI may, in reporting to the Council, make recommendations, including a recommendation to sanction under Rule 85 of the RoP. Rule 85 of the RoP<sup>4</sup> provides, among other matters, that any Member who fails to comply with the registration requirement under Rule 83 of the RoP may be admonished, reprimanded or suspended by the Council on a motion to that effect.

36. CMI notes that Mr Albert HO had registered his shareholding in FSICL at the commencement of the First, Second and Third LegCo. CMI considers that there is no information to indicate that his failure to register such interest at the commencement of the Fourth LegCo was deliberate. There is also no information to indicate that Mr HO's shareholding in FSICL involved any conflict of interests with his role as a LegCo Member, given that the company had no substantive business.

37. In deciding whether sanction should be recommended, CMI has considered the practice adopted by CMI of the previous LegCo. CMI notes that whether an omission to register certain interests by the Member under complaint was a deliberate act and whether such interests involved any conflict of interest by virtue of his role as a LegCo Member had been the major considerations of the past decisions. Given no information to indicate that Mr HO's omission to register the shareholding interest was deliberate or the shareholding interest involved any conflict of interest with his role as a LegCo Member, CMI has decided not to recommend any sanction against Mr HO under Rule 85 of the RoP.

#### Concluding remarks

38. The main purpose for registration of interests is to provide information of any pecuniary interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in the Council, or actions taken in his or her capacity as a LegCo Member. It is therefore incumbent upon each

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<sup>4</sup> Rule 85: Any Member who fails to comply with Rule 83 (Registration of Interests), 83A (Personal Pecuniary Interests to be Disclosed), 83AA (Claims for Reimbursement of Operating Expenses or Applications for Advance of Operating Funds) or 84(1) or (1A) (Voting or Withdrawal in case of Direct Pecuniary Interest) may be admonished, reprimanded or suspended by the Council on a motion to that effect.

and every Member to register registrable interests in compliance with the RoP. Members should take due care in completing the Form for registration of interests, and take all reasonable steps to verify the accuracy of the information entered in the Form. Registration of certain interests which are not required to be registered may mislead members of the public.

39. As a LegCo Member, Mr Albert HO should have exercised due care in complying with the relevant rules of the RoP with regard to registration of interests. He should have been more careful in completing the Form and should have ascertained whether his share had actually been transferred to the beneficial owner instead of relying on his memory or impression. Although Mr HO claims that he has adopted a standard higher than the requirement of registration of interest when he registered the shareholding in FSICL, his failure to register such interest indicates that he has fallen short of the standard of care reasonably and legitimately expected of a LegCo Member by members of the public. His registration of directorships in FSICL on 9 July 2012 again shows his lack of due care as only remunerated directorships are required to be registered.

40. The case under complaint serves as a reminder for Members of the rising public expectation of the standards of behaviour of a LegCo Member. Members should not take registration of interests lightly and complete the Form as a routine matter. CMI calls upon all Members to exercise due care in the registration and disclosure of their interests pursuant to the relevant rules of the RoP of LegCo.

**Committee on Members' Interests**

**Membership List**

*(Year 2012 - 2013)*

**Chairman**            Hon IP Kwok-him, GBS, JP

**Deputy Chairman**   Hon Emily LAU Wai-hing, JP

**Members**            Hon Jeffrey LAM Kin-fung, GBS, JP  
                             Hon Frankie YICK Chi-ming  
                             Hon Gary FAN Kwok-wai  
                             Hon CHAN Yuen-han, SBS, JP  
                             Hon Dennis KWOK

**Clerk**                Mr Arthur LEUNG

**Legal Adviser**      Mr KAU Kin-wah

## **Committee on Members' Interests**

### **Terms of Reference**

- (1) to examine the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests;
- (2) to consider any proposals made by Members or others as to the form and contents of the Register;
- (3) to consider any complaint made in relation to the registration and declaration of Members' interests or any complaint of a failure to do so and, if it thinks fit after consideration, investigate such complaint;  
*(L.N. 174 of 2006)*
- (4) to consider any complaint made in relation to the conduct of Members referred to in Rule 83AA (Claims for Reimbursement of Operating Expenses or Applications for Advance of Operating Funds) and, if it thinks fit after consideration, investigate such complaint;  
*(L.N. 174 of 2006)*
- (5) to consider matters of ethics in relation to the conduct of Members in their capacity as such, and to give advice and issue guidelines on such matters; and
- (6) to report to the Council and make recommendations, including a recommendation as to a sanction under Rule 85 (Sanctions relating to Interests, Operating Expenses or Operating Funds).  
*(L.N. 174 of 2006)*

**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**

**January 2009**

**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**

**Convening the first meeting**

- (1) Upon receipt of a written complaint by the Committee on Members' Interests ("the Committee") from a Member or a member of the public (hereinafter referred to as "the complainant") about the registration or declaration of interests of a Member or a Member's claims for reimbursement of operating expenses (hereinafter referred to as "the Member under complaint"), the Clerk to the Committee ("the Clerk") shall forthwith contact and verify the identity of the complainant. The Clerk shall then distribute the complaint in the form of a confidential document to members of the Committee ("members") and he shall ask the Chairman of the Committee ("the Chairman") to decide within two working days whether a meeting on the matter should be held (in the event of the absence of the Chairman from Hong Kong or the Member under complaint being the Chairman, the Clerk shall seek instruction from the Deputy Chairman; the same principle shall apply in subsequent paragraphs). If a complaint (i) is made by an anonymous or unidentifiable person or by a person who cannot be contacted, or (ii) is made against a former Member, or (iii) is about a Member's act(s) or omission(s) which allegedly took place seven years or more prior to the date of the complaint, the Chairman shall instruct the Clerk to circulate the complaint to other members in the form of a confidential document for information. However, the Committee will not consider the complaint.
- (2) In deciding whether a meeting should be held to consider the complaint received, the Chairman may consider not to hold such a meeting for the following reasons:
  - (a) the complaint is not related to the registration or declaration of a Member's interests, or a Member's claims for reimbursement of operating expenses;
  - (b) the complaint is merely based on speculations, inferences or unfounded judgements;
  - (c) the complaint involves substantially repeated allegations which have already been dealt with by the Committee, except where fresh evidence has been produced; or
  - (d) other reasons he deems appropriate.
- (3) If the Chairman decides that the Committee should meet, he shall instruct the Clerk to arrange for the first meeting to be held within the next seven working days to consider the complaint.

- (4) If the Chairman decides not to hold such a meeting and conveys to the Clerk his decision as well his reasons for making such a decision, the Clerk shall inform other members of the Chairman's decision and his reasons. If any member indicates disagreement with the decision in writing, the Clerk shall, by way of a circular, ask the members to forward replies to him within three working days on whether a meeting should be held to consider the complaint. In the event that the Clerk receives replies in which the majority of members indicate their support for holding a meeting, he shall ask the Chairman to fix the date, the time and the venue for the meeting. The first meeting shall be held within the next seven working days.
- (5) If the Chairman makes a decision of not holding a meeting and the Clerk does not receive replies from a majority of members indicating disagreement with this decision after the expiry of the three-day deadline since the issue of the circular, the Committee will not take any further action on the complaint.

### **Preliminary consideration**

- (6) The Committee may hold a meeting or a series of meetings to consider the complaint.
- (7) The purposes of such meetings are:
- (i) To ascertain the subject of the complaint and the provisions of the Rules of Procedure relevant to the allegations in question; and
  - (ii) To gather information relevant to the complaint and the allegations in question, such as the dates, amounts of money (if any), persons involved, etc. Such information should not include media reports, information provided by anonymous persons and speculations, inferences or judgements made by individuals.
- (8) In considering a complaint relating to a Member's claims for reimbursement of operating expenses, the Committee shall, in addition to any other matter that the Committee may consider relevant, have regard to the provisions of the Guide for Reimbursement of Operating Expenses for Members of the Legislative Council.
- (9) The Committee may invite the complainant to attend a meeting(s) to provide information. The Committee may also invite the Member under complaint to attend a meeting(s) to give explanations, and provide information. At the time of making the invitation, the Committee shall inform the Member under complaint that if he refuses to attend such meeting(s) or refuses to answer questions of the Committee at such meetings, the Committee may invoke the powers under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to order him to attend before the Committee, and to give evidence or to produce documents, and may cause him to be examined on oath.



- (10) In attending before the Committee, the Member under complaint may be accompanied by a maximum of three persons for the purpose of giving him assistance or advice. These persons may include legal adviser(s) and they may be different persons for different meetings of the Committee. Yet, the Member under complaint must answer questions, give explanations or provide information himself. The accompanying person(s) is(are) not allowed to address the Committee.
- (11) If the Member under complaint admits all the allegations at this stage, and the Committee is of the opinion that it is able to determine whether the complaint is substantiated and decides that an enquiry is not necessary, the Committee shall report to the Council and make a recommendation as to a sanction to be imposed on the Member under complaint.
- (12) The Committee may decide not to proceed with an investigation if it is of the opinion that the complaint is not substantiated.

### **Investigation**

- (13) If the Committee decides to conduct an investigation into the complaint, the Committee shall instruct the Clerk to convey the decision to the complainant and the Member under complaint and to provide the Member under complaint with information received in relation to the complaint.
- (14) In the course of conducting an enquiry, the Committee may, in accordance with section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), order any person to attend before the Committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person. At such a hearing, the Committee may cause witnesses to be examined upon oath. The Committee may ask the complainant, the Member under complaint and other persons to confirm upon oath the information and statements they have provided at previous meetings.
- (15) The Member under complaint shall have the right to give explanations, make clarification and provide information on the subject of the complaints and the related matters. In attending before the Committee, the Member under complaint may be accompanied by a maximum of three persons for the purpose of giving him assistance or advice. These persons may include legal adviser(s) and they may be different persons for different meetings of the Committee. Yet, the Member under complaint must answer questions, give explanations or provide information himself. The accompanying person(s) is(are) not allowed to address the Committee.

### **Suspension of work on the complaint**

- (16) If, during the preliminary consideration or the investigation stages, the Committee has come to the knowledge that the complaint or related matters is/are being investigated by a law enforcement agency, or is/are relating to a case pending in a court of law, the Committee may suspend its investigation until the conclusion of the investigation by the law enforcement agency or the legal proceedings.

### **The Committee's decision as to whether a complaint is substantiated**

- (17) If the Committee decides that there is sufficient evidence to substantiate a complaint, it shall inform the complainant and the Member under complaint of its decision.
- (18) Upon receipt of the Committee's notification of its decision that the complaint is substantiated, the Member under complaint may make a request in writing to the Committee for a review of the decision within the next seven working days, and he may submit written statements and provide any other information which is unavailable at hearings held earlier. Upon receipt of the written request for a review of the Committee's decision from the Member under complaint, the Chairman shall instruct the Clerk to arrange for a meeting to be held for such purpose within the next seven working days to hear the explanation made by the Member under complaint and to review its earlier decision.
- (19) If the Committee is of the opinion that the complaint is substantiated, or it is still of the opinion after the review that the complaint is substantiated, the Committee shall present a report to the Council on the complaint, in which the evidence and its opinion should be set out. The Committee may also make a recommendation to the Council as to a sanction to be imposed on the Member under complaint under Rule 85 of the Rules of Procedure. In considering whether or not to recommend a sanction, or what sanction to recommend, the Committee shall take into account whether the failure of the Member under complaint to comply with the relevant rule(s) of the Rules of Procedure was due to an honest mistake on his part.
- (20) If the Committee is of the opinion that the complaint is not substantiated, it shall convey the decision to the complainant and the Member under complaint. The Committee may decide whether it should submit a report on this to the Council. If the Committee decides not to submit a report on this to the Council, members or any other person must not disclose any information regarding the complaint, except the evidence taken before the Committee and documents presented to it during meetings of the Committee held in public.

### **Confidentiality Requirement**

- (21) All members and other persons attending meetings of the Committee held in camera (except the Member under complaint) shall be required to sign a confidentiality undertaking that they will not publish evidence taken before the Committee, documents produced to it, or its deliberations and decisions before the Committee has presented its report to the Council. Where the Committee finds that a member or other person has breached the undertaking he gave to the Committee, the Committee will consider whether and how to deal with the member or that other person, 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.
- (23) 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.
- (24) 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**

- (25) 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.

**附錄 IV**  
**Appendix IV**

**From:** [REDACTED]  
**To:** <mi\_c@legco.gov.hk>

---

**Date:** Thursday, July 12, 2012 04:32PM  
**Subject:** 有關立法會議員何俊仁先生涉嫌蓄意虛報利益的投訴  
**History:** ↗ This message has been forwarded.

---

立法會議員個人利益監察委員會主席及各委員：

本人現正式投訴何俊仁議員涉嫌蓄意隱瞞利益：

- 1) 何俊仁議員涉嫌蓄意隱瞞有關股份的利息，作出失實申報
- 2) 何俊仁議員涉嫌蓄意隱瞞有關出任董事的利息，作出失實申報
- 3) 何俊仁議員涉嫌蓄意隱瞞有關土地及物業的利息，作出失實申報

正式投訴信已隨電郵附上 (LegCoComplaint.doc, Annex01.pdf, Annex02.pdf)

如貴委員會不接受電郵投訴，請立即通知，我會明天親自到立法會遞交投訴，以期在會期完結前提出。謝謝。

何議員長時間擔任立法會議員，更曾經是特首候選人，其個人操守誠信並非私人問題，而且何議員更打算出選下屆超級議席，他個人誠信操守，對選民投票意向有極大影響。因此，請貴委員會立即調查此事，勿因會期快結束而拖延不處理。我也會把這投訴信發給各傳媒。

立法會選民

[REDACTED] 上

2011.07.12

Attachments:

LegCoComplaint.doc

Annex01.pdf

Annex02.pdf

立法會議員個人利益監察委員會主席及各委員：

## 有關立法會議員何俊仁先生涉嫌蓄意虛報利益的投訴

本人現正式投訴何俊仁議員涉嫌蓄意隱瞞利益。投訴詳情如下：

1) 何俊仁議員涉嫌蓄意隱瞞有關股份的利益，作出失實申報

根據何議員 2008 年 10 月 8 日的申報書，其本人或連同配偶沒有持有任何私營公司超過已發行股本百分之一的股份：

08-OCT-2008 11:07 FROM LEGCO CB3

TO 25299268

P.38

須予登記的個人利益	
<b>股份</b>	
8. 你(本人或連同配偶或未成年子女，或本人代表配偶或未成年子女)是否持有 任何公共或私營公司面值超過已發行股本百分之一的股份？	
有	<input checked="" type="radio"/>
若有的話，請列出每間公司的名稱，並說明其業務性質。	
_____	
_____	
_____	
_____	
_____	
_____	
_____	

註：(a) 無須登記持有股份的數量或價值。

(b) 「股份」的定義是指個人持有的股份，並不包括議員以代名人身份持有的股份。

(c) 議員有責任登記其知悉屬於這類別的利益。

(d) 議員配偶的股份無須登記，除非議員知道配偶持有股份，而股份是議員連同其配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。

登記日期 : 8.10.2008 時間 : 10:13 上午/正午  
Registered on: at : om / pm

簽署：

何俊仁

日期：

8 OCT 2008

然而根據公司註冊處紀錄（見隨電郵附上的檔案 Annex01.pdf），何議員與潘昭苑女士在 1988 年 7 月 21 日透過股權轉讓成為 Fountain Success Investment Co. Ltd. 的股東兼董事，各佔 50% 股權，股權一直至今無變，而何議員亦每年向公司註冊處申報股權無變（請查閱公司註冊處每年紀錄）。也就是說，何議員在 2008 年 10 月作申報時作出了失實陳述，虛報自己並非 Fountain Success 的股東，其實他當時擁有 50% 股權。何議員更在 2008 年 9 月 8 日向公司註冊處申報股權無變動，即他仍然擁有公司 50% 股權（見下圖），但僅僅一個月後卻向立法會申報沒持有任何公司股份（見上圖），分明是蓄意欺騙。我亦有理由懷疑何議員在 2008 年之前的議員申報中亦有虛報情況。



公司註冊處  
Companies Registry

周年申報表 - 資料並無改變的證明書  
(有股本的私人公司)

Annual Return - Certificate of No Change  
(Private Company having a share capital)

(公司條例第 107(5) 及 (6) 條)  
(Companies Ordinance s. 107(5) & (6))

存案 Filed

表格  
Form AR3

重要事項 Important Notes

- 填表前請參閱《填表須知》。  
請用黑色墨水列印。  
Please read the accompanying notes before completing this form.  
Please print in black ink.

公司編號 Company Number

102723

1 公司名稱 Company Name

Fountain Success Investment Company Limited

2 代表公司發出的證明書 Certificate to be Given on behalf of the Company

本人謹此按照《公司條例》第 107(5) 及 (6) 條作出證明 -

In accordance with section 107 (5) & (6) of the Companies Ordinance, I hereby certify that -

(註 Note 9)

- (a) 本公司依據《公司條例》第 107(1) 條製備的最近一份詳盡周年申報表的日期是 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日，及  
the date of the last Annual Return in full form as required by section 107(1) of the Companies Ordinance was 08/09/2005 and,
- (b) 自 (a) 段所相明的日期起，至本申報表的日期為止，即至 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日 (亦即本公司在有關年度成立為法團的周年日期) 為止，公司提交存案的最近一份詳盡周年申報表所載的資料並無任何改變。  
as at 08/09/2008, being the date of this return (i.e. the anniversary of the date of incorporation of the company for the year), there has been no change since the date specified in paragraph (a) above in the information contained in the last Annual Return filed by the company in full form.

簽署 Signed :

姓名 Name : HO CHUN YAN  
董事 Director / 秘書 Secretary

日期 Date : 8<sup>th</sup> September 2008  
日 DD / 月 MM / 年 YYYY

\*請刪去不適用者 - Delete whichever does not apply

(註 Note 4)

提交人的資料 Presenter's Reference

姓名 Name: HO, TSE, WAI & PARTNERS  
地址 Address: Rooms 901-2 Takshing House,  
20 Des Voeux Road Central,  
Hong Kong

請勿填寫本欄 For Official Use

何議員在 2012 年 7 月 9 日忽然申報自己擁有 Fountain Success 的 50% 股權，是令我產生懷疑和追查此事的原因。他三日前的申報，並不能掩飾他多年來虛報和蓄意隱瞞，反而是欲蓋彌彰而已。

議員姓名： 何俊仁

須予登記的個人利益	
<b>股份</b>	
8. 你(本人或連同配偶或未成年子女，或本人代表配偶或未成年子女)是否持有任何公共或私營公司面值超過已發行股本百分之一的股份？	
有 / 否	
若有的話，請列出每間公司的名稱，並說明其業務性質。	
<hr/>	
50% 股份：Fountain Success Ltd. - 物業控股有限公司	
<hr/>	
<hr/>	

註：(a) 無須登記持有股份的數量或價值。

(b) 「股份」的定義是指個人持有的股份，並不包括議員以代名人身份持有的股份。

(c) 議員有責任登記據他所知屬於這類別的利益。

(d) 議員配偶的股份無須登記。除非議員知道配偶持有股份，而股份是議員連同其配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。

簽署：

何俊仁

登記日期：9.7.2012 時間：5:30 上午/下午  
Registered on: 9.7.2012 at 5:30 am/pm

2012年7月9日

日期：

## 2) 何俊仁議員涉嫌蓄意隱瞞有關出任董事的利益，作出失實申報

根據何議員 2008 年 10 月 8 日的申報書，他並非任何公司的受薪董事，但在 2012 年 7 月 9 日，他忽然申報自己是 Fountain Success Ltd. 的受薪董事。可是，如上文所述，公司註冊處紀錄顯示何議員由 1988 年開始一直是該公司董事，那麼，何以他到三日前才忽然申報受薪董事身份？難道他一直不是受薪，那麼何時開始受薪？該公司歷年向公司註冊處作出的申報，一直由何議員以董事身份簽署發出（見下圖），顯示他負責公司業務，那何以會是非受薪董事？相信 Fountain Success Investment Co. Ltd. 歷年向稅務局提交的財務報表，應能澄清何議員多年來是否受薪董事一事。





公司註冊處  
Companies Registry

周年申報表 - 資料並無改變的證明書  
(有股本的私人公司)

Annual Return - Certificate of No Change  
(Private company having a share capital)

(《公司條例》第 107(5) 及 (6) 條)  
(Companies Ordinance s. 107(5) & (6))

存案 Filed

表格  
Form AR3

重要事項 Important Notes

- 填表前請參閱《填表須知》。  
請用黑色墨水列印。
- Please read the accompanying notes before completing this form.  
Please print in black ink.

公司編號 Company Number

102723

1 公司名稱 Company Name

Fountain Success Investment Company Limited

2 代表公司發出的證明書 Certificate to be Given on behalf of the Company

本人謹此按照《公司條例》第 107(5) 及 (6) 條作出證明。

(註 Note 9)

(a) 本公司根據《公司條例》第 107(1) 條製備的最近一份詳盡周年申報表的日期是 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日。及

(b) 自 (a) 段所指明的日期起，至本申報表的日期為止，即至 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日 (亦即本公司在有關年度成立為法團的周年日) 為止，公司提交存案的最近一份詳盡周年申報表所載的資料並無任何改變。

In accordance with section 107(5) & (6) of the Companies Ordinance, I hereby certify that -

(註 Note 9)

(a) the date of the last annual return in full form as required by section 107(1) of the Companies Ordinance was 08/09/2005 and,

(b) as at 08/09/2011, being the date of this return (i.e. the anniversary of the date of incorporation of the company for the year), there has been no change since the date specified in paragraph (a) above in the information contained in the last annual return filed by the company in full form.

(註 Note 10)

提示 Advisory Note

所有公司董事均應閱讀公司註冊處編製的《有關董事責任的非法定指引》的最新版本，並熟悉該指引所規定的董事一般責任。

All directors of the company are advised to read the latest version of the 'Non-Statutory Guidelines on Directors' Duties' published by the Companies Registry and acquaint themselves with the general duties of directors outlined in the Guidelines.

(註 Note 8)

簽署 Signed :

姓名 Name : HO CHUN YAN  
董事 Director / 秘書 Secretary

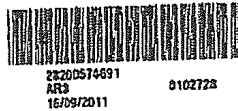
日期 Date : 16/09/2011  
日 DD / 月 MM / 年 YYYY

\*請刪去不適用者 Delete whichever does not apply

(註 Note 4)

提交人的資料 Presenter's Reference

姓名 Name: HO, TSE, WAI & PARTNERS  
地址 Address: 7/F, Bangkok Bank Building,  
28 Des Voeux Road Central,  
Hong Kong



電話 Tel: 28682919 傳真 Fax: 28682787

電郵地址 E-mail Address:

編號 Reference:

規例編號 272008 (AR3) (2009 年 7 月)  
Specification No. 272008 (AR3) (July 2009)

0016

3) 何俊仁議員涉嫌蓄意隱瞞有關土地及物業的利益，作出失實申報

根據何議員 2008 年 10 月 8 日的申報書，他沒有擁有任何土地或物業。申報書上亦說明何議員必須申報透過公司持有的物業。

須予登記的個人利益

土地及物業

7. 你在香港或其他地方是否擁有土地或物業？

有  否

若有的話，請列出該土地或物業的所在地，例如「在港島擁有物業」；或「在香港、加拿大及英國擁有物業」。

Blank lines for listing land and property locations.

註：(1) 根據規定，議員只須登記所擁有的土地或物業的一般性質，而無須列出該土地或物業的地址等詳細資料。

(2) 除非議員在本港擁有的唯一或一所主要及經常性居住的居所亦為其帶來收入，否則無須登記。

(3) 任何土地或物業，如議員有權作出處置，或從中獲得任何金錢利益，均須予以登記。議員擁有的土地或物業，不論是以其個人名義擁有或間接持有，例如透過公司或其他人士持有，均屬須予登記的個人利益。如土地或物業透過公司持有，凡議員持有該公司的控制權或超過百分之五十的股份，即須予以登記。如土地或物業透過其他人士持有，凡議員可透過該名人士處置該土地或物業，或從中獲得任何金錢利益，亦須予以登記。議員以受託人身份持有但並無自主處置權的土地或物業(例如：議員為代名人、受託人或保管人)，無須予以登記。

登記日期: 8.10.2008 時間: 10:13 上午/下午  
Registered on: at am/pm

簽署: 何國榮  
日期: 8 OCT 2008

但是，何議員卻隱瞞了他透過 Fountain Success Investment Co. Ltd. 持有的 ██████████ 權益。根據田土廳紀錄（見下圖），Fountain Success Investment Co. Ltd. 於 1989 年購入該單位後，一直持有至今，而

上文已指出何議員自 1988 年 7 月至今，一直都是該公司董事及股東，擁有公司 50% 股份，也就是該物業 50% 的權益。顯然，何議員沒有申報有關物業利益。

備註

REMARKS: LETTER APPROVING THE MODIFICATION OF CROWN LEASE COVENANTS REGD. BY MEM. NO.308298  
NEW RENT UNDER CROWN LEASES ORDINANCE FROM 1/5/89 IS \$6660 P.A. (P.E.5127)

<u>業主資料</u> OWNER PARTICULARS					
業主姓名 NAME OF OWNER	身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER)	註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	代價 CONSIDERATION
LEE CHAU COMPANY LIMITED		UB1512940	11/02/1978	26/04/1978	\$53,000,000.00
備註 REMARKS: ASSIGNMENT OF IL 1946 R.P. SUBJECT TO LEASE MEM. NO.807600					
FOUNTAIN SUCCESS INVESTMENT COMPANY LIMITED		UB4033648	10/03/1989	06/04/1989	\$3,529,960.00
備註 REMARKS: ASSIGNMENT WITH PLAN					
<u>物業涉及的轉權</u> INCUMBRANCES					
	文書日期		註冊日期		

再者，有證據顯示何議員並非一時疏忽沒有申報，而是蓄意隱瞞。該單位在 2004 年的再次按揭申報亦由兩人以公司董事名義簽署（見附上的檔案 Annex02.pdf）證明何議員十分清楚該公司持有該物業，但為何 2008 年時不作申報（何議員自己是律師呢！）？難道說他忘記了自己持有這個單位 50%、數以百萬元計算的權益？更甚的是，何議員在 2004 年時已是立法會議員，請翻查他當年是否有申報相關利益。如果沒有，更證明他是存心欺騙，誠信絕對有問題！

何議員長時間擔任立法會議員，更曾經是特首候選人，其個人操守誠信並非私人問題，而且何議員更打算出選下屆超級議席，他個人誠信操守，對選民投票意向有極大影響。因此，請貴委員會立即調查此事，勿因會期快結束而拖延不處理。我也會把這投訴信發給各傳媒。

假如貴會不處理電郵投訴，請立即通知，我會明天親自到立法會遞交投訴，以期在會期完結前提出。謝謝。

立法會選民

██████████ 上 （聯絡電話：██████████）

2012 年 7 月 12 日

No. of Company . . . 102723 . . .

FILED



26 APR 1989

THE COMPANIES ORDINANCE  
(Chapter 32)

Annual return of a company having a share capital, Registrar of Companies  
Pursuant to section 107 and 360 of the Companies Ordinance

Annual return of **FOUNTAIN SUCCESS INVESTMENT COMPANY** Limited\*,  
made up to the **31st December 1988** (being the date of the annual general meeting for the year 1988).  
\*Delete "Limited" if not applicable.

1. Address and Business Names.

(a) Address of the registered office of the company. **911, Sincere House, Argyle Street, Kowloon.**

(b) Business Names (other than the name of the company) under which the company carries on business.

N/A

2. Summary of share capital and debentures

(a) Nominal Share Capital

(1) Nominal share capital \$ **100,000.00** divided into:  
No. of Shares **10,000** Class **Ordinary** Value of each share **HK\$ 10.00**

(b) Issued Share Capital and Debentures

	Number	Class
(2) Number of shares of each class taken up to the date of this return (which number must agree with the total shown in the list as held by existing members)	2	Ordinary
(3) Number of shares of each class issued subject to payment wholly in cash	2	Ordinary
(4) Number of shares of each class issued as fully paid up for a consideration other than cash		
(5) Number of shares of each class issued as partly paid up for a consideration other than cash and extent to which each such share is so paid up	Amount per share \$	
(6) (a) Number of shares (if any) of each class issued at a premium (whether paid or payable wholly in cash or wholly for a consideration other than cash or any combination thereof) and the amount of such premium	Amount per share \$	
(b) Total amount of premium paid or payable in cash on the issue of the shares specified in (a)	\$	
(c) Total amount of premium paid or payable otherwise than in cash on the issue of the shares specified in (a)	\$	
(7) Number of shares (if any) of each class issued at a discount	Number	Class
(8) Amount of discount on the issue of shares which has not been written off at the date of this return		
(9) Amount called up on number of shares of each class	Number	Class
(10) Total amount of calls received (Note 1)	2	Ordinary
(11) Total amount (if any) agreed to be considered as paid on number of shares of each class issued as fully paid up for a consideration other than cash	\$ 20.00	
(12) Total amount (if any) agreed to be considered as paid on number of shares of each class issued as partly paid up for a consideration other than cash	\$	
(13) Total amount of calls unpaid	\$	
(14) Total amount of sums (if any) paid by way of commission in respect of any shares or debentures	\$	
(15) Total amount of sums (if any) allowed by way of discount for any debentures since the date of the last return	\$	
(16) Total number of shares of each class forfeited	Number	Class
(17) Total amount paid (if any) on shares forfeited	07	\$50
(18) Total amount of shares for which share warrants to bearer are issued	CHEQUE	\$50
(19) Total amount of share warrants to bearer issued and surrendered respectively since the date of the last return	01-02-89	71710
(20) Number of shares comprised in each share warrant to bearer, specifying in the case of warrants of different kinds, particulars of each kind	E	4444
3. Total amount of indebtedness of the company in respect of all mortgages and charges which are required to be registered with the Registrar of Companies under the Companies Ordinance (Note 2)	\$	

Presented by:

CURRIE MANAGEMENT CONSULTANTS LIMITED

Presenter's reference:

Flat A, 4/F.,  
Hamilton Commercial Building,  
Nos. 55B-56D, Nathan Road,  
Kowloon, Hong Kong.

Document pending Microfilming

4. LIST OF PAST AND PRESENT MEMBERS (Notes 3 and 4).

Folio in register ledger containing particulars	Names and addresses (Including, in the case of a Chinese member, his name in Chinese characters if these are contained in the register of members) and occupations or descriptions	Account of shares			Remarks
		Number of shares or amount of stock held by existing members at date of return (Notes 5 and 6)	Particulars of shares transferred since the date of the last return, or, in the case of the first return, of the incorporation of the company, by (a) persons who are still members, and (b) persons who have ceased to be members (Notes 7)		
			Number (Note 6)	Date of registration of transfer	
3					
	CYK (nominees) Limited Room 2001 Swire House, Charter Road Corporation		1	(a) 1 (b) 21/7/88	Transferred to POON Chiu Yuen
	HMK (Nominees) Limited Room 2001, Swire House, Charter Road Corporation		1	(a) 1 (b) 21/7/88	Transferred to HO Chun Yan
	POON Chiu Yuen (潘昭苑)	1			
	HO Chun Yan (何俊仁)	1			
		2			

5. LIST OF PERSONS WHO CH...

Folio in register ledger containing particulars	Names and addresses (Including, in the case of a member, his name in Chinese characters if these are contained in the register of members)
	POON Chiu Yuen (潘昭苑)
6.	Situation of the registers of members: (a) Register of members (Notes 12 and 13) (b) Register of debenture holders
7.	Particulars of directors of the company:  Name, any alias and nationality (Notes 12 and 13)  POON Chiu Yuen Teresa (潘昭苑) British  HO Chun Yan (何俊仁) British
8.	Particulars of the secretary of the company:  Name (Notes 12, 13 and 17)  POON Chiu Yuen (潘昭苑) Teresa

5. LIST OF PERSONS WHO CEASED TO HOLD PARTLY-PAID SHARES (Note 8)

Transferred since return, or, in the turn, of the company, by (a) members, and ceased to (votes 7)	Remarks
(b) 21/7/88	Transferred to POON Chiu Yuen
21/7/88	Transferred to HO Chun Yan

Folio in register containing particulars	Names and addresses (including, in the case of a Chinese member, his name in Chinese characters if these are contained in the register of members)	Particulars of shares transferred since the date of the last return or, in the case of the first return, of the incorporation of the company (Note 7)		Amount paid up on each such share	Remarks
		Number (Note 6)	Date of registration of transfer		
	N/A				

6. Situation of the registers of members and debenture holders, if kept at an address other than the registered office.  
 (a) Register of members (Note 9) ..... N/A  
 (b) Register of debenture holders (Note 10) ..... N/A

7. Particulars of directors of the company at the date of this return (Note 11)

Name, any alias and nationality (Notes 12 and 13)	Address (Note 14)	Business occupation, if any, or particulars of other directorship or directorships (Note 15)	Hong Kong identity card number, if any (Note 16)
POON Chiu Yuen Teresa (潘昭苑) British	[REDACTED]	Manager	[REDACTED]
HO Chun Yan (何俊仁) British	[REDACTED]	Solicitor	[REDACTED]

8. Particulars of the secretary of the company at the date of this return

Name (Notes 12, 13 and 17)	Address (Notes 17 and 18)	Hong Kong identity card number, if any (Note 16)
POON Chiu Yuen (潘昭苑) Teresa	[REDACTED]	[REDACTED]

**CERTIFICATION**

Delete if not a Private Company.

Delete if not a Private Company or, if a Private Company, if the number of members of the Company does not exceed fifty.

**DELETE ANY CERTIFICATE WHICH DOES NOT APPLY**

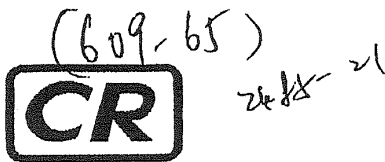
A. We certify that the Company has not since the date of the last Annual Return (or, if this is the first Return made, since the date of incorporation of the Company) issued any invitation to the public to subscribe for any shares or debentures of the Company.

~~B. We certify that the excess of the number of members of the Company over fifty consists wholly of persons who under section 29(1)(b) of the Companies Ordinance, are not to be included in the reckoning of fifty.~~

Signed . . .  . . . Director. . . .  Secretary.

**NOTES**

1. Include payments on application and allotment and any sums received on shares forfeited.
2. Include also any mortgages and charges which would have been required to be so registered if created after 1st January 1912.
3. Give list of persons holding shares or stock in the company on the date of the annual general meeting. In the case of a Chinese member, give his name both in English and in Chinese characters if the latter are included in the register of members—section 95 of the Companies Ordinance refers. Show also those persons who have held shares or stock in the company at any time since the date of the last return, or if this is the company's first return, since the date of incorporation.
4. If the names in the list are not arranged in alphabetical order, an index sufficient to enable the name of any person to be easily found must be annexed.
5. The aggregate number of shares held by each member must be stated, and the aggregates must be added up so as to agree with the number of shares stated in the "summary of share capital and debentures" (paragraph 2) to have been taken up.
6. When the shares are of different classes these columns should be subdivided, so that the number of each class held, or transferred, may be shown separately. Where any shares have been converted into stock, the amount of stock held by each member must be shown.
7. The date of registration of each transfer should be given as well as the number of shares transferred on each date. The particulars should be placed opposite the name of the transferor and not opposite that of the transferee, but the name of the transferee may be inserted in the "remarks" column immediately opposite the particulars of each transfer.
8. Give list of any persons who have disposed of any partly-paid up shares in the company since the date of the last annual return or, if this is the company's first return, since the date of incorporation. In the case of a Chinese member, give his name both in English and in Chinese characters if the latter are included in the register of members—section 95 of the Companies Ordinance refers.
9. Section 95 of the Companies Ordinance refers.
10. If any such register or part of any such register is kept outside Hong Kong, insert the address in Hong Kong where any duplicate thereof is kept.
11. If the columns give insufficient space the particulars must be continued on a separate sheet. "Director" includes any person who occupies the position of a director by whatsoever name called, and any person in accordance with whose directions or instructions the directors of the company are accustomed to act.
12. Full names, i.e. the present forename and surname, must be given, together with, in the case of: Chinese director, the Chinese characters therefor if such characters are contained in the register of directors—section 158 of the Companies Ordinance refers. "Forename" includes a Christian or given name and "surname" in the case of a person usually known by a title different from his surname means that title.
13. Any former forenames and surname must also be given, together with, in the case of a Chinese director, the Chinese characters therefor if such characters are contained in the register of directors—section 158 of the Companies Ordinance refers. Any alias must also be given.  
"Former forename" and "former surname" do not include—
  - (a) in the case of a person usually known by a title different from his surname, the name by which he was known previous to the adoption of or succession to the title; or
  - (b) in the case of any person, a former forename or surname where that forename or surname was changed or disused before the person bearing the name attained the age of 18 years or has been changed or disused for a period of not less than 20 years; or
  - (c) in the case of a married woman, the name or surname by which she was known previous to the marriage.
14. Usual residential address should be given. "Residential address" does not include an address at a hotel unless the director to whom it relates is stated, for the purposes of section 155 of the Companies Ordinance, to have no other permanent address nor does it include a P.O. box number unless coupled with a residential address.
15. The director's business occupation should be stated with sufficient particularity to enable identification of the duties attaching to that occupation. If he has no business occupation, but holds any other directorship or directorships, particulars of that directorship or some one of those directorships should be given.
16. (a) If the director or secretary has been issued with an identity card in Hong Kong under the provisions of the Registration of Persons Ordinance, Cap. 177, the number of the identity card should be given.  
(b) If this column does not apply, please insert "not applicable".
17. Where all the partners in a firm are joint secretaries, the name and principal office address of the firm alone may be stated.
18. Usual residential address should be given, or, in the case of a corporation, the registered or principal office.



Companies Registry  
公司註冊處

Form CR 2004  
表格 M1

C 14

0

Mortgage or Charge Details  
按揭或押記詳情

Company Number 公司編號

102723 /

1 Company Name 公司名稱

FOUNTAIN SUCCESS INVESTMENT COMPANY LIMITED

2 Place of Business in Hong Kong 在香港的營業地址 (Oversea Companies Only 只限海外公司填寫)

(Note 註 4) 3 Instrument creating Mortgage or Charge and date of creation 設定該項按揭或押記的文書及日期

Mortgage /	DD 日	MM 月	YYYY 年
	10 /	09 /	2004 /
Description 文書描述	Date of Creation 設定日期		

4 Amount Secured 按揭或押記所保證的款額

To secure "all moneys" in respect of general banking facilities and interest thereon.

(Note 註 5) 5 Names and Addresses of Mortgagees or Chargees 承接人或承押記人的姓名及地址

THE HONGKONG AND SHANGHAI BANKING CORPORATION LIMITED with registered office in Hong Kong in No.1 Queen's Road Central, Hong Kong.

(Note 註 6) 6 Discount etc. paid re Debentures 有關債權證的折扣等

Amount 款額 / % 百分率\*

Presenter's Name and Address  
提交人的姓名及地址

Messrs. Ho, Tse, Wai & Partners,  
Solicitors & Notaries,  
Rooms 901-2, 9/F.,  
Takshing House,  
20 Des Voeux Road Central,  
Hong Kong.

(our ref. no.: 4-29-4532-04(1))

Specification No. 1/97  
1/97 號

For Official Use  
請勿填寫本欄

16/09/2004 EE554683  
Sh. Form : M1

C U  
05 \$340.00

TOTAL (CHQ) \$340.00

09375762





Mortgage or Charge Details  
按揭或押記詳情

Company Number 公司編號

102723

Page 2 第二頁

7 Description of Property Mortgaged or Charged 按揭或押記財產的描述

ALL THOSE 168 equal undivided 120,000<sup>th</sup> parts or shares of and in The  
Remaining Portion of Inland Lot No. 1946

(Note 註 7) 8 Date of acquisition of the Property 獲取財產的日期

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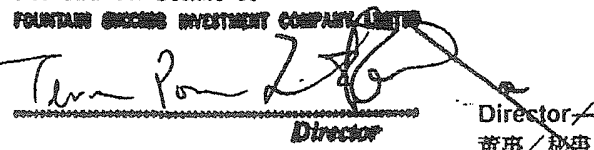
DD 日

MM 月

YYYY 年

For and on behalf of  
FOUNTAIN SUCCESS INVESTMENT COMPANY LIMITED

Signed  
簽名 :



Director

Director / Secretary / Authorized Representative\*  
董事 / 秘書 / 授權代表 \*

on behalf of Company / Chargee\*

代表公司 / 承押記人

Date 日期:

16 SEP 2004

\* Delete whichever does not apply 請刪去不適用者

附錄 V  
Appendix V

**From:** [REDACTED]  
**To:** <mi\_c@legco.gov.hk>

---

**Date:** Friday, July 13, 2012 08:44AM  
**Subject:** 有關立法會議員何俊仁先生涉嫌蓄意虛報利益的投訴 - 後續

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立法會議員個人利益監察委員會主席及各委員：

關於昨天向貴委員會提交的投訴，現有進一步的補充。

關於何議員在經濟日報解釋，於04年時“誤以為”股份已轉回給該公司股份的實質擁有者，自己不再持有股份，以致04年與08年均漏報了相關利益一事，本人認為是謊話連篇！現提出進一步證據，證明何議員說謊，而且事件更涉及千萬元以上的經濟利益，並非如某些議員所說不涉及利益衝突！

立法會選民

[REDACTED] 上

2012.07.13

Attachments:

LegCoComplaint\_followup.doc

立法會議員個人利益監察委員會主席及各委員：




### 關於何俊仁議員作虛假申報的後續質詢及相關證據

關於昨天向貴委員會提交的投訴，現有進一步的補充。

關於何議員在經濟日報解釋，於 04 年時“誤以為”股份已轉回給該公司股份的實質擁有者，自己不再持有股份，以致 04 年與 08 年均漏報了相關利益一事，本人認為是謊話連篇！現提出進一步證據，證明何議員所說並不可信，而且事件更涉及千萬元以上的經濟利益，並非如某些議員所說不涉及利益衝突！

- 1) 何議員說 04 年時誤以為股份已轉給他人，完全是謊話！假如是真，那他 04 年開始每年以公司董事身份向公司註冊處作出的申報就是虛報！

由 2004 年至 2011 年，何議員每年均以該公司董事身份簽署申報，向公司註冊處申報公司資料無變，即股東和董事等均無改變，亦即他繼續出任董事，繼續持有 50% 股權。每年由他自己以董事身份簽署申報，那有什麼可能他會“誤”以為股份已轉給別人？！那豈不是他每年向公司註冊處的申報都是虛假？！那是不是觸犯了法例？更甚的是，何議員在作出 2008 年議員申報之前的一個月，才剛剛向公司註冊處申報自己是 Fountain Success 的董事和股東，那何來“誤以為自己非董事和股東”？！何議員是律師，不要說自己不懂在申報什麼！

	<b>周年申報表 - 資料並無改變的證明書</b> (有股本的私人公司) <b>Annual Return - Certificate of No Change</b> (Private Company having a share capital) (公司條例第 107(5) 及 (6) 條) (Companies Ordinance s. 107(5) & (6))	存案 Filed
公司註冊處 Companies Registry	表格 Form <b>AR3</b>	
<b>重要事項 Important Notes</b>		
● 填表前請參閱《填表須知》。 請用黑色墨水列印。 Please read the accompanying notes before completing this form. Please print in black ink.		
	公司編號 Company Number	102723
1 公司名稱 Company Name		
Fountain Success Investment Company Limited		
2 代表公司發出的證明書 Certificate to be Given on behalf of the Company		
本人謹此按照《公司條例》第 107(5) 及 (6) 條作出聲明 - In accordance with section 107 (5) & (6) of the Companies Ordinance, I hereby certify that -		
(註 Note 9)	(a) 本公司依據《公司條例》第 107(1) 條製備的最近一份詳盡周年申報表的日期 是 _____ 年 _____ 月 _____ 日，及 the date of the last Annual Return in full form as required by section 107(1) of the Companies Ordinance was <u>08/09/2005</u> and,	
	(b) 自 (a) 段所指明的日期起，至本申報表的日期為止，即至 _____ 年 _____ 月 _____ 日 (亦即本公司在有關年度成立為法團的 周年日期) 為止，公司提交存案的最近一份詳盡周年申報表所載的資料並無任 何改變。 as at <u>08/09/2008</u> , being the date of this return (i.e. the anniversary of the date of incorporation of the company for the year), there has been no change since the date specified in paragraph (a) above in the information contained in the last Annual Return filed by the company in full form.	
簽署 Signed:		
姓名 Name:	<u>HO CHUN YAN</u> 董事 Director / 秘書 Secretary	日期 Date: <u>8<sup>th</sup> September 2008</u> 日 DD / 月 MM / 年 YYYY
(註 Note 4)	*請刪去不適用者 - Delete whichever does not apply 提交人的資料 Presenter's Reference	請勿填寫本欄 For Official Use
	姓名 Name: HO, YSE, WAI & PARTNERS	
	地址 Address: Rooms 801-2 Takshing House, 20 Des Voeux Road Central, Hong Kong	



公司註冊處  
Companies Registry

周年申報表 - 資料並無改變的證明書  
(有股本的私人公司)

Annual Return - Certificate of No Change  
(Private company having a share capital)

(《公司條例》第 107(5) 及 (6) 條)  
(Companies Ordinance s. 107(5) & (6))

存案 Filed

表格  
Form AR3

重要事項 Important Notes

- 填表前請參閱《填表須知》。  
請用黑色墨水列印。
- Please read the accompanying notes before completing this form.  
Please print in black ink.

公司編號 Company Number

102723

1 公司名稱 Company Name

Fountain Success Investment Company Limited

2 代表公司發出的證明書 Certificate to be Given on behalf of the Company

本人謹此按照《公司條例》第 107(5) 及 (6) 條作出證明。

(註 Note 9) (a) 本公司依據《公司條例》第 107(1) 條製備的最近一份詳盡周年申報表的日期是 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日，及

(b) 自 (a) 段所指明的日期起，至本申報表的日期為止，即至 \_\_\_\_\_ 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日 (亦即本公司在有關年度成立為法體的周年日) 為止，公司提交存案的最近一份詳盡周年申報表所載的資料並無任何改變。

(註 Note 9) In accordance with section 107(5) & (6) of the Companies Ordinance, I hereby certify that—  
(a) the date of the last annual return in full form as required by section 107(1) of the Companies Ordinance was 08/09/2005 and,

(b) as at 08/09/2010, being the date of this return (i.e. the anniversary of the date of incorporation of the company for the year), there has been no change since the date specified in paragraph (a) above in the information contained in the last annual return filed by the company in full form.

(註 Note 10)

提示 Advisory Note

所有公司董事均應閱讀公司註冊處編製的《有關董事責任的非法定指引》的最新版本，並熟悉該指引所概述的董事一般責任。  
All directors of the company are advised to read the latest version of the 'Non-Statutory Guidelines on Directors' Duties' published by the Companies Registry and acquaint themselves with the general duties of directors outlined in the Guidelines.

(註 Note 6) 簽署 Signed :

姓名 Name : HO CHUN YAN

日期 Date : 09/09/2010

董事 Director / 秘書 Secretary

日 DD / 月 MM / 年 YYYY

\*請刪去不適用者—Delete whichever does not apply

2) 何議員至今未有申報物業利益！當中涉及隱瞞和利益衝突。

何議員至今未有申報他透過該公司持有 [REDACTED] 的 50% 權益，市值超過 1000 萬元，當中涉及利益衝突。或許何議員會以自己佔股份不超過 50% 為由而辯稱無須申報，但是他擁有該物業 50% 權益，亦即“有權從中獲得(任何)金錢利益”，亦須予登記。再者，該公司每年均由他以董事身份向公司註冊處申報公司資料，顯示他擁有該公司的“控制權”，亦理應作出申報。04 年時，該物業再次按揭，何議員亦有簽署向公司註冊處申報，如果他與潘女士共同向銀行借貸按揭，更證明他實質擁有該物業的權益，請翻查相關按揭資料。何議員是律師，不可能不認識自己的權益！

### 3) 事件涉及利益衝突！

何議員 2012 年 7 月 9 日申報自己是該公司“受薪董事”，既是“受薪”，何以會不涉及利益？如果非受薪，那何議員 7 月 9 日的申報就是失實！請翻查該公司每年向稅務局提交的財務報表，以查證何議員是否有支取薪金！

請不要議員相衛，草草處理此事，不了了之。立法會在市民心中形象已經很差，請你們秉公處理此事，要求何議員就虛報承擔責任，不要天天聲討官員誠信之餘，卻容讓議員隱瞞利益，謊話連篇！何議員說 04 年時誤以為股份已轉給他人，事實卻年年以董事身份向公司註冊處提供資料，顯然是謊話連篇，誠信破產！此事如果發生在問責官員身上，議員們肯定已經要求官員下台。請不要雙重標準，為議員護短！

立法會選民

██████████上

2012.07.13

## 漏報持股任董事 何俊仁道歉

【本報訊】民主黨何俊仁漏報自己擁公司股份及董事職位，日前自行向立法會更正，就事件致歉。他指自己是以信託人身份持股，04以為股份已脫手，之後未有申報。

何俊仁交立法會秘書處的信指，翻查《議員個人利益登記冊》時，發現在本屆及上屆立會任內，漏報一項董事職位及持股。

### 今年度立會任期 申報「三無」

相關的公司Fountain Success Limited，由何俊仁及其弟潘昭苑，在1988年成立，兩人任董事，並各擁一半股份。該公司擁有一位於黃泥涌比華利山物業，當年以約350萬購入，目前估升值至逾

2,500萬元。

何俊仁在上屆，即2004至08年任期，在立法會的申報表，申報自己沒有出任受薪董事職位，亦沒在香港或其他地方擁有土地或物業，但就有申報，自己擁有上述公司的股份，並申報該公司持有一香港地產物業。而他在2008至12年度，立法會的登記冊上，就申報自己是「三無」，即無做董事、無擁有公司股份、無擁有物業或土地。不過，根據資料，何俊仁自88年起，一直是上述公司的非受薪董事及股東。

何俊仁承認漏報，但強調自己是以信託人身份持有股份，於04年時誤以為股份，已轉回給該公司股份的實質擁有者了事，因

此在上屆及本屆都漏報及誤報。他在給立法會的信件中，就漏報致歉，但強調該公司無實質業務，與他的立法會事務及公職亦無實質或潛在利益衝突。

不過按照立會申報表要求，就申報物業方面，議員不論是以個人或公司名義，間接持有物業，亦要申報。如透過公司持有土地或物業，而議員持有該公司的控制權，或超過50%的股份，即需登記。

立法會議員民建聯李慧琼就指，如果事件不涉利益衝突，只要向立會補報就無問題，但指市民會期望，議員對自己要求更高。公民黨湯家驊亦指，最重要是不涉利益衝突，並更正申報。☞

**附錄 VII**  
**Appendix VII**

**From:** [REDACTED]  
**To:** <complaints@legco.gov.hk>, <mi\_c@legco.gov.hk>

---

**Date:** Saturday, July 14, 2012 12:56AM  
**Subject:** 有關立法會議員何俊仁先生涉嫌蓄意虛報利益的投訴 - 後續之二(連附件)  
**History:**        ⇒ This message has been forwarded.

---

(不好意思, 之前的電郵忘了附加檔案)

謝謝秘書處今天致電給我。

由於立法會會期將於數日內完結, 我希望再提供多一點資料, 方便你們跟進我的投訴。

我不知道何議員在向立法會秘書處補交利益申報的信件中提出了什麼理由, 但假如像經濟日報所報導, 他是誤以為04年股份已易手所以沒有申報, 那麼我希望貴處特別留意以下幾點:

1) 何議員在2005年9月向公司註冊處提交了 full return (請參看附上的檔案), 明確申報他持有公司50%股份, 當中亦沒有提及是受託人之類的身份, 而且他更是在full return中排名第一以及唯一簽名的董事。

如果他的股份真的在04年已易手, 那2005年至2011年他每年都向公司註冊處作出虛假申報。

2) 何議員與潘女士2004年以公司名義, 把公司持有的物業按揭給滙豐銀行, 套現了一筆相信相當可觀的款項, 那是有實際金錢的利益, 所以事件並非不涉及利益。此外, 他2004年承擔了按揭的責任, 那亦顯示他並無轉讓股份。

3) 不知什麼原因, 何議員在2005年的 full return中並沒有申報上述按揭貸款的數額 (請參看附上的檔案), 卻申報公司沒有按揭(雖然2004年他們曾向公司註冊處提交按揭資料)。根據田土廳的紀錄, 該筆按揭貸款至今仍未 discharge, 我不知何議員2005年作出沒按揭申報是否違法。

謝謝你們的跟進

立法會選民

[REDACTED] 上

**Attachments:**

2005return.pdf



公司註冊處  
Companies Registry

周年申報表  
Annual Return  
(公司條例第 107(1)條)  
(Companies Ordinance s. 107(1))

存案 File

表格  
Form AR1

**重要事項 Important Notes**

- 填表前請參閱〈填表須知〉。  
請用黑色墨水列印。
- Please read the accompanying notes before completing this form.  
Please print in black ink.

公司編號 Company Number

102723

**1 公司名稱 Company Name**

Fountain Success Investment Company Limited

(註 Note 8)

**2 商業名稱 Business Name**

**3 公司類別 Type of Company**

請在有關空格內加 ✓ 號 Please tick the relevant box

有股本的私人公司  
Private Company having a share capital

其他  
Others

**4 本申報表日期 Date of this Return**

本申報表列載公司截至右列日期為止的資料  
The information in this Return is made up to

08	09	2005
日 DD	月 MM	年 YYYY

(如屬有股本的私人公司，本申報表應列載截至公司成立為法團的周年日期的資料。如屬其他公司，所列載的資料則應載至公司周年大會日期或以代替周年大會的書面決議的日期為止。  
For a private company having a share capital, the information in this Return should be made up to the anniversary of the date of incorporation. For other companies, the information should be made up to the date of the annual general meeting (AGM) or the date of written resolution passed in lieu of AGM.)

(註 Note 9)

**5 註冊辦事處地址 Address of Registered Office**

(註 Note 10)

**6 電郵地址 E-mail Address**

(註 Note 3)

**提交人的資料 Presentor's Reference**

姓名 Name: HO, TSE, WAI & PARTNERS

地址 Address: Rooms 901-2 Takshing House,  
20 Des Voeux Road Central,  
Hong Kong.

電話 Tel: 28682919 傳真 Fax: 28682797

電郵地址 E-mail Address:

檔號 Reference:

指明編號 2/2004 (修訂) (2004 年 2 月)  
Specification No. 2/2004 (Revision) (Feb. 2004)

請勿填寫本欄 For Official Use



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09/09/2005

0102723

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**7 按揭及押記 Mortgages and Charges**

截至本申報表日期，所有須根據《公司條例》第 80 及第 82 條規定向公司註冊處處長登記的按揭及押記的未償還總額

Total Amount outstanding as of the Date of this Return on all mortgages and charges which are required to be registered with the Registrar of Companies pursuant to sections 80 and 82 of the Companies Ordinance

NIL

(註 Note 11) **8 無股本公司的成員數目 Number of Member(s) of a Company Not Having a Share Capital**  
(有股本的公司毋須填報此項 Company having a share capital need not complete this section)

截至本申報表日期的成員數目  
Number of member(s) as at the Date of this Return

(註 Note 12) **9 股本 Share Capital**  
(無股本的公司毋須填報第 9 及第 10 項 Company not having a share capital need not complete sections 9 & 10)

截至本申報表日期 As at the Date of this Return					
法定股本 Authorized Share Capital		已發行股本 Issued Share Capital			
股份類別 Class of Shares	總面值 Total Nominal Value †	已發行 股份數目 Number of Shares Issued (a)	每股已 發行股份 的面值 Nominal Value of Each Share Issued † (b)	已發行股份的 總面值 Total Nominal Value of Shares Issued † (a) x (b)	已發行股份的 已繳股款總值 (不包括溢價) Total Paid up Value of Shares Issued † (excluding premium)
Ordinary	HK\$100,000	2	HK\$10.00	HK\$20.00	HK\$20.00
總值 Total	HK\$100,000	2	HK\$10.00	HK\$20.00	HK\$20.00

† 請註明貨幣單位(例如：港元、美元)  
Please specify the currency (e.g. HKD, USD)

(註 Note 13) **10 有股本公司的成員詳情 Details of Member(s) of a Company Having a Share Capital**  
(如未能盡錄於下列表格內，請用續頁 A 填報 Use Continuation Sheet A if there is insufficient space)

截至本申報表日期的成員詳情 Details of Member(s) as at the Date of this Return

股份類別 Class of Shares

Ordinary

如公司的股份自上一份周年申報表日期以來(如屬首份周年申報表，則自公司成立為法團以來)有任何轉讓，有關詳情亦請一併填報；股份受讓人的姓名／名稱請在「備註」一欄註明。  
If there have been any transfers of the company's shares since the date of the last Annual Return (or since incorporation if this is the first Annual Return), please also provide details of the transfers; the name of the transferee should be stated in the 'Remarks' column.

姓名／名稱 Name	地址 Address	股份 Shares		備註 Remarks	
		現時持有量 Current Holding	轉讓 Transferred		
			數目 Number		日期 Date
POON CHIU YUEN		1			
HO CHUN YAN		1			
總數 Total		2			

11 秘書 Secretary

A. 個人秘書 Individual Secretary

(如超過一名個人秘書，請用續頁 B 填報 Use Continuation Sheet B if more than 1 individual secretary)

中文姓名  
Name in Chinese 潘昭婉

英文姓名  
Name in English POON CHIU YUEN  
姓氏 Surname 名字 Other Names

前用姓名  
Previous Names

別名  
Alias

(註 Note 14) 香港住址  
Hong Kong Residential Address

(註 Note 15) 電郵地址  
E-mail Address

(註 Note 16) 身份證明 Identification  
a 香港身份證號碼  
Hong Kong Identity Card Number

b 海外護照  
Overseas Passport  
簽發國家 Issuing Country 號碼 Number

B. 法人團體秘書 Corporate Secretary

(如超過一名法人團體秘書，請用續頁 B 填報 Use Continuation Sheet B if more than 1 corporate secretary)

(註 Note 17) 中文名稱  
Name in Chinese

(註 Note 17) 英文名稱  
Name in English

(註 Note 18) 香港地址  
Hong Kong Address

(註 Note 15) 電郵地址  
E-mail Address

公司編號 Company Number  
(只適用於在香港註冊的法人團體)  
(Only applicable to body corporate registered in Hong Kong)

**12 董事 Director**

**A. 個人董事 Individual Director**

(如超過兩名個人董事，請用續頁 C 填報 Use Continuation Sheet C if more than 2 Individual directors)

(註 Note 19)

1 身份  
Capacity

董事  
Director

候補董事  
Alternate Director

代替 Alternate to

中文姓名  
Name in Chinese

何俊仁

英文姓名  
Name in English

HO

CHUN YAN

姓氏 Surname

名字 Other Names

前用姓名  
Previous Names

別名  
Alias

(註 Note 20)

住址  
Residential  
Address

China

國家 Country

(註 Note 21)

電郵地址  
E-mail Address

(註 Note 22)

身份證明 Identification

a 香港身份證號碼  
Hong Kong Identity Card Number

b 海外護照  
Overseas Passport

簽發國家 Issuing Country

號碼 Number

102723

**12 董事 Director** (續上頁 cont'd)

(註 Note 19)

**2 身份 Capacity**

**董事 Director**

**候補董事 Alternate Director**

代替 Alternate to

[Empty box for Alternate to]

**中文姓名 Name in Chinese**

潘昭婉

**英文姓名 Name in English**

POON CHIU YUEN  
姓氏 Surname 名字 Other Names

**前用姓名 Previous Names**

[Empty box for Previous Names]

**別名 Alias**

[Empty box for Alias]

(註 Note 20)

**住址 Residential Address**

[Redacted address] China  
國家 Country

(註 Note 21)

**電郵地址 E-mail Address**

[Empty box for E-mail Address]

(註 Note 22)

**身份證明 Identification**

**a 香港身份證號碼 Hong Kong Identity Card Number**

[Redacted Hong Kong Identity Card Number]

**b 海外護照 Overseas Passport**

[Empty box for Overseas Passport] 簽發國家 Issuing Country 號碼 Number

12 董事 Director (續上頁 cont'd)

B. 法人團體董事 Corporate Director

(如超過兩名法人團體董事，請用橫頁 D 填報 Use Continuation Sheet D if more than 2 corporate directors)

(註 Note 19)

1 身份

Capacity

董事  
Director

候補董事  
Alternate Director

代替 Alternate to

中文名稱

Name in Chinese

英文名稱

Name in English

(註 Note 23)

地址

Address

國家 Country

(註 Note 21)

電郵地址

E-mail Address

公司編號 Company Number

(只適用於在香港註冊的法人團體)

(Only applicable to body corporate registered in Hong Kong)

(註 Note 19)

2 身份

Capacity

董事  
Director

候補董事  
Alternate Director

代替 Alternate to

中文名稱

Name in Chinese

英文名稱

Name in English

(註 Note 23)

地址

Address

國家 Country

(註 Note 21)

電郵地址

E-mail Address

公司編號 Company Number

(只適用於在香港註冊的法人團體)

(Only applicable to body corporate registered in Hong Kong)

12 董事 Director (續上頁 cont'd)

C. 備任董事 Reserve Director

(只適用於只有一名成員而該成員同時亦是唯一董事的私人公司 Only applicable to a private company with only one member who is also the sole director of the company)

中文姓名  
Name in Chinese

英文姓名  
Name in English

--	--

姓氏 Surname

名字 Other Names

前用姓名  
Previous Names

別名  
Alias

(註 Note 20)

住址  
Residential  
Address

--	--

國家 Country

(註 Note 21)

電郵地址  
E-mail Address

(註 Note 22)

身份證明 Identification

a 香港身份證號碼  
Hong Kong Identity Card Number

b 海外護照  
Overseas Passport

--	--

簽發國家 Issuing Country

號碼 Number

**13 登記冊 Registers**

公司備存下列登記冊的地址(如並非備存於第 5 項的註冊辦事處內)  
Address where the following registers of the company are kept (if not kept at the Registered Office in Section 5)

登記冊 Register	地址 Address
a 成員登記冊 Register of Members	
b 債權證持有人登記冊 (如有的話) Register of Debenture Holders (if any)	

(註 Note 24) **14 隨表提交的帳目所涵蓋的會計結算始末日期**  
**Period Covered by Accounts Submitted with this Form**  
(私人公司毋須填報此項 A private company need not complete this section)

日 DD	月 MM	年 YYYY	至 To	日 DD	月 MM	年 YYYY
------	------	--------	---------	------	------	--------

**15 證明書 Certificate**

(此項證明只適用於私人公司。如不適用，請刪去此項。)  
(This Certificate should only be completed in respect of a private company. If not applicable, please delete.)

本人證明公司自上一份周年申報表日期以來(如屬首份周年申報表，則自成立為法團以來)，並無發出任何文件，邀請公眾人士認購公司任何股份或債權證；同時如成員數目於本申報表日期超過五十，則所超出的成員，全是根據《公司條例》第 29(1)(b)條不須計算入該五十名額內的人士。  
I certify that the company has not, since the date of the last Annual Return (or since incorporation if this is the first Annual Return), issued any invitation to the public to subscribe for any shares or debentures in the company and that if the number of members is in excess of 50 as at the Date of this Return, the excess are persons who under section 29(1)(b) of the Companies Ordinance are not to be included in the calculation of 50.

本申報表包括 \_\_\_\_\_ 張續頁 A、\_\_\_\_\_ 張續頁 B、\_\_\_\_\_ 張續頁 C 及 \_\_\_\_\_ 張續頁 D。  
This Return includes NIL Continuation Sheet(s) A, NIL Continuation Sheet(s) B, NIL  
Continuation Sheet(s) C and NIL Continuation Sheet(s) D.

簽署 Signed :   
姓名 Name : HO CHUN YAN 日期 Date : 8<sup>th</sup> September 2005  
董事 Director / 秘書 Secretary 日 DD / 月 MM / 年 YYYY

\*請刪去不適用者 Delete whichever does not apply



**Rule 83 of the Rules of Procedure of  
the Legislative Council  
of the Hong Kong Special Administrative Region**

**83. Registration of Interests**

- (1) Except for the purpose of making registration of interests under subrule (2), every Member shall, not later than the first meeting of each term, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests. (*L.N. 107 of 1999*)
- (2) Every new Member of the Legislative Council shall, within 14 days from the date of his becoming a new Member to fill a vacant seat, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests.
- (3) Every Member shall furnish to the Clerk, in such form as may be approved by the President, particulars of any change in such registrable interests, within 14 days of any such change.
- (4) The Clerk shall cause those particulars to be entered in a Register of Members' Interests and that register shall be available for inspection by any person during office hours.
- (5) In this Rule, "registrable interests" means –
  - (a) remunerated directorships of companies, public or private, and if the company concerned is a subsidiary of another company within the meaning of section 2(4) of the Companies Ordinance (Cap. 32), also the name of that other company; (*L.N. 73 of 2006*)
  - (b) remunerated employments, offices, trades, professions or vocations;
  - (c) the names of clients when the interests referred to above include personal services by Members which arise out of or are related in any manner to his membership of the Council;

- (d)
  - (i) all donations, as a candidate in the Legislative Council election in which the Member was elected as a Member of the Council, received by the Member or any person on his behalf for the purpose of meeting the Member's election expenses in the election; or  
(*L.N. 107 of 1999*)
  - (ii) financial sponsorships, as a Member of the Council, by any person or organization, stating whether any such sponsorships include any payment or any material benefit or advantage to the Member or his spouse, whether direct or indirect; (*L.N. 107 of 1999*)
- (e) overseas visits made by the Member or his spouse relating to or arising out of membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds;
- (f) any payments or any material benefits or advantages received by the Member or his spouse arising out of his membership of the Council from or on behalf of:
  - (i) any government or organization of a place outside Hong Kong; or
  - (ii) any person who is not a Hong Kong permanent resident;
- (g) land and property;
- (h) the names of companies or other bodies in which the Member has, to his knowledge, either himself or with or on behalf of his spouse or infant children, a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital.

議員姓名：李可復

須予登記的個人利益
<b>董事職位</b>
1. 你有否擔任公共或私營公司的受薪董事職位？
有 / 否 (請刪去不適用者)
若有的話，請列出所有受薪董事職位。
<u>沒有</u>
_____
_____
_____

- 註：(a) 「受薪董事職位」包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。
- (b) 「實惠」一詞指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬\*5%的利益(\*不包括立法會議員所得的一般開支津貼；該項津貼是用以處理議員事務的開支)；或(ii)一次過收受價值超過10,000元的實惠。(此定義同樣適用於第2、4及6類別的「實惠」一詞。)
- (c) 本地及海外公司的受薪董事職位均須予以登記。
- (d) 以法團名義出任董事的受薪董事職位亦須予以登記。不過，關於這類受薪董事職位，只須在立法會每一會期開始時提交最新的資料。
- (e) 若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位，無論是否受薪，亦須予以登記。
- (f) 請列出有關公司的名稱，並簡略說明每間公司的業務性質。

簽署：李可復

日期：2-7-98



須予登記的個人利益

土地及物業

7. 你是否擁有土地或物業(你在香港擁有的唯一或一所主要及經常性自住的居所除外)?

有 / 否

若有的話，請列出該土地或物業的所在地，例如「在港島擁有物業」；或「在香港、加拿大及英國擁有物業」。

沒有

註：議員擁有的土地或物業，不論直接或間接擁有，例如，透過其持有控制權的公司或超過百分之五十股份的公司所擁有，或透過第三者擁有，均須予以登記。根據規定，議員只須登記這項利益的一般性質，而毋須將所有的土地及物業詳細列出。除非議員在本港擁有的唯一或一所主要及經常性自住的居所亦為其帶來收入，否則無須登記。

簽署： 何復仁  
日期： 2-7-98

須予登記的個人利益

股份

8. 你(本人或連同配偶或未成年子女，或本人代表配偶或未成年子女)是否持有任何公共或私營公司面值超過已發行股本百分之一的股份？

有 / 否

若有的話，請列出每間公司的名稱，並說明其業務性質。

Fountain Success Ltd. — 持有一本港物業

註：(a) 無須登記持有股份的數量或價值。

(b) 「股份」的定義是指個人持有的股份，並不包括議員以代名人身份持有的股份。

(c) 議員有責任登記據他所知屬於這類別的利益。

(d) 議員配偶的股份無須登記。除非議員知道配偶持有股份，而股份是議員連同其配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。

簽署：

何復仁

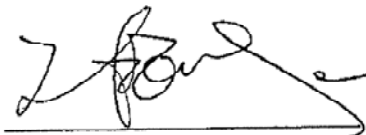
日期：

2-7-98

Name of Member: <sup>-1-</sup> HO CHUN YAN (何君健仁)

<i>Registrable Interest</i>
<b>Directorships</b>
1. Do you have any remunerated directorships in any public or private company?
YES/NO (Please delete as appropriate)
If so, please list below.
NO

- Notes: (a) "Remunerated directorships" include all directorships for which a fee, honorarium, allowance or other material benefit is payable.
- (b) The term "material benefit" refers to (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual salary\* of a Member of the Council (\* excluding the general expenses allowance which covers expenses incurred by a Member in his work); or (ii) one-off material benefits exceeding \$10,000 in value. (This definition also applies to the term "material benefit" in categories 2, 4 and 6.)
- (c) Remunerated directorships of both local and overseas companies are registrable.
- (d) Remunerated directorships through corporate directors are also registrable. However, particulars of remunerated directorships through corporate directors need only be updated on an annual basis, at the beginning of each legislative session.
- (e) Where you are a remunerated director of a company, all subsidiary or associated directorships which you hold within the same group, whether remunerated or not, should also be registered.
- (f) You should give the name of the company, briefly stating the nature of the business of the company in each case.

Signature: 

Date: 4-10-2000

**Registrable Interest**

**Land and Property**

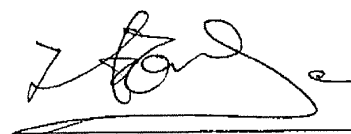
7. Do you have any land or property in Hong Kong or elsewhere?

YES/NO

If so, please list the location of the property e.g. "A property on Hong Kong Island" or "Properties in Hong Kong, Canada and the United Kingdom".

No

- Notes:
1. The requirement is to register the general nature of the land or property owned by a Member. Details such as addresses are not required.
  2. The only or principal residence in Hong Kong which a Member owns and ordinarily lives in need not be registered unless he also derives income from it.
  3. Land or property are registrable where a Member has a right over its disposition or has any pecuniary interest deriving from it. Registrable interest includes land or property owned by the Member in his own name, or held indirectly such as through a company or through another person. In the case of holding through a company, the interest is registrable where the Member has control of the company or has more than 50% shareholding in it. In the case of holding through another person, the interest is registrable where the Member may dispose of the land or property through that person or derive any pecuniary interest from that land or property. Land or property held by a Member as trustee and in which the Member has no autonomous right of disposition (e.g. a nominee, trustee or custodian) need not be registered.

Signature: 

Date: 4-10-2000

**Registrable Interest**

**Shareholdings**

8. Do you have (either yourself or with or on behalf of your spouse or dependent children) interests in shareholdings in any public or private company which have a **nominal** value greater than 1 per cent of the issued share capital of the company?

YES/NO

If so, please list each company, indicating in each case the nature of its business.

*Fountain Success Ltd -  
Land - holding company*

- Notes:
- (a) There is no need to register the size, or value of the shareholdings.
  - (b) "Shareholdings" is defined as personal shareholdings and do not include shareholdings held by a Member in the capacity of a nominee shareholder.
  - (c) It is the obligation of a Member to register interests under this category within his knowledge.
  - (d) Shareholdings held by a Member's spouse are not registrable unless such holdings are within the knowledge of the Member, and are held by the Member "with or on behalf of" his spouse. This guideline is equally applicable to shareholdings in respect of a Member's infant children.

Signature:

*[Handwritten Signature]*

Date:

*4-10-2000*



議員姓名：何俊仁

**須予登記的個人利益**

**董事職位**

1. 你有否擔任公共或私營公司的受薪董事職位？

有 / 否 (請刪去不適用者)

若有的話，請列出所有受薪董事職位。

沒有

註：(a) 「受薪董事職位」包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。

(b) 「實惠」一詞指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬\*5%的利益(\*不包括立法會議員所得的一般開支津貼；該項津貼是用以處理議員事務的開支)；或(ii)一次過收受價值超過10,000元的實惠。(此定義同樣適用於第2、4及6類別的「實惠」一詞。)

(c) 本地及海外公司的受薪董事職位均須予以登記。

(d) 以法團名義出任董事的受薪董事職位亦須予以登記。不過，關於這類受薪董事職位，只須在立法會每一會期開始時提交最新的資料。

(e) 若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位，無論是否受薪，亦須予以登記。

(f) 請列出有關公司的名稱，並簡略說明每間公司的業務性質。



簽署：何俊仁

日期：5-10-04

20004531

須予登記的個人利益

土地及物業

7. 你在香港或其他地方是否擁有土地或物業？

有 / 否

若有的話，請列出該土地或物業的所在地，例如「在港島擁有物業」；或「在香港、加拿大及英國擁有物業」。

Multiple horizontal lines for listing property details.

- 註：(1) 根據規定，議員只須登記所擁有的土地或物業的一般性質，而無須列出該土地或物業的地址等詳細資料。
(2) 除非議員在本港擁有的唯一或一所主要及經常性自住的居所亦為其帶來收入，否則無須登記。
(3) 任何土地或物業，如議員有權作出處置，或從中獲得任何金錢利益，均須予以登記。...



簽署：何俊仁
日期：5-10-04

須予登記的個人利益

股份

8. 你(本人或連同配偶或未成年子女, 或本人代表配偶或未成年子女)是否持有任何公共或私營公司面值超過已發行股本百分之一的股份?

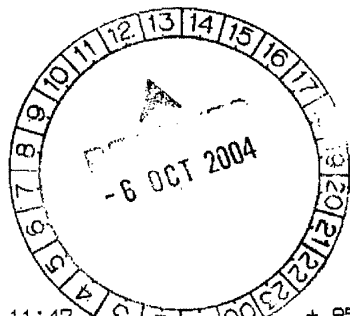
有/否

若有的話, 請列出每間公司的名稱, 並說明其業務性質。

FOUNTAIN SUCCESS LTD -

持有香港 -  
地產物業

- 註: (a) 無須登記持有股份的数量或價值。
- (b) 「股份」的定義是指個人持有的股份, 並不包括議員以代名人身份持有的股份。
- (c) 議員有責任登記據他所知屬於這類別的利益。
- (d) 議員配偶的股份無須登記, 除非議員知道配偶持有股份, 而股份是議員連同其配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。



簽署: 何俊仁

日期: 5-10-04

議員姓名：HO CHUN YAN

**須予登記的個人利益**

**董事職位**

1. 你有否擔任公共或私營公司的受薪董事職位？

有 / 否 (請刪去不適用者)

若有的話，請列出所有受薪董事職位，如有關公司屬《公司條例》(第32章)第2(4)條所指的另一間公司的附屬公司，請提供該另一間公司的名稱。

沒有

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- 註：(a) 「受薪董事職位」包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。
- (b) 「實惠」一詞指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬\*5%的利益(\*不包括立法會議員所得的一般開支津貼；該項津貼是用以處理議員事務的開支)；或(ii)一次過收受價值超過10,000元的實惠。(此定義同樣適用於第2、4及6類別的「實惠」一詞。)
- (c) 本地及海外公司的受薪董事職位均須予以登記。
- (d) 以法國名義出任董事的受薪董事職位亦須予以登記，不過，關於這類受薪董事職位，只須在立法會每一會期開始時提交最新的資料。
- (e) 若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位，無論是否受薪，亦須予以登記。
- (f) 請列出有關公司的名稱，並簡略說明每間公司的業務性質。
- (g) 另一間公司的附屬公司的涵蓋，與《公司條例》(第32章)第2(4)條中該詞的涵義相同。

簽署：何俊仁

日期：8 OCT 2008

登記日期	: 8.10.2008	時間	: 10:13	上午/下午
Registered on:		at		am / pm

2008/10/8

須予登記的個人利益

土地及物業

7. 你在香港或其他地方是否擁有土地或物業？

有  否

若有的話，請列出該土地或物業的所在地，例如「在港島擁有物業」；或「在香港、加拿大及英國擁有物業」。

Multiple horizontal lines for listing property locations.

- 註：(1) 根據規定，議員只須登記所擁有的土地或物業的一般性質，而無須列出該土地或物業的地址等詳細資料。
(2) 除非議員在本港擁有的唯一或一所主要及經常性自住的居所亦為其帶來收入，否則無須登記。
(3) 任何土地或物業，如議員有權作出處置，或從中獲得任何金錢利益，均須予以登記。

登記日期 : 8.10.2008 時間 : 10:13 上午/下午
Registered on : at am / pm

簽署 : [Signature]
日期 : 8 OCT 2008

須予登記的個人利益

股份

8. 你(本人或連同配偶或未成年子女, 或本人代表配偶或未成年子女)是否持有  
任何公共或私營公司面值超過已發行股本百分之一的股份?

有 否

若有的話, 請列出每間公司的名稱, 並說明其業務性質。

Multiple horizontal lines for listing company names and business nature.

註: (a) 無須登記持有股份的數量或價值。

(b) 「股份」的定義是指個人持有的股份, 並不包括議員以代名人身份持有的股份。

(c) 議員有責任登記據他所知屬於這類別的利益。

(d) 議員配偶的股份無須登記, 除非議員知道配偶持有股份, 而股份是議員連同其  
配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。

簽署: 何俊仁

日期: 8 OCT 2008

登記日期: 8.10.2008 時間: 10:13 上午/下午  
Registered on: at am/pm

議員姓名： 何俊仁

**須予登記的個人利益**

**董事職位**

1. 你有否擔任公共或私營公司的受薪董事職位？

有 / 否 (請刪去不適用者)

若有的話，請列出所有受薪董事職位。如有關公司屬《公司條例》(第32章)第2(4)條所指的另一間公司的附屬公司，請提供該另一間公司的名稱。

Fountain Success Ltd. - 物業控股有限公司

註：(a) 「受薪董事職位」包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。

- (b) 「實惠」一詞指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬\*5%的利益(\*不包括立法會議員所得的一般開支津貼；該項津貼是用以處理議員事務的開支)；或(ii)一次過收受價值超過10,000元的實惠。(此定義同樣適用於第2, 4及6類別的「實惠」一詞。)
- (c) 本地及海外公司的受薪董事職位均須予以登記。
- (d) 以法團名義出任董事的受薪董事職位亦須予以登記。不過，關於這類受薪董事職位，只須在立法會每一會期開始時提交最新的資料。
- (e) 若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位，無論是否受薪，亦須予以登記。
- (f) 請列出有關公司的名稱，並簡略說明每間公司的業務性質。
- (g) 另一間公司的附屬公司的涵義，與《公司條例》(第32章)第2(4)條中該詞的涵義相同。

簽署：

何俊仁

登記日期：9.7.2012 時間：5:30 上午/下午  
Registered on: 9.7.2012 at 5:30 am/pm

2012年7月9日

日期：

議員姓名： 何俊仁

**須予登記的個人利益**

**股份**

8. 你(本人或連同配偶或未成年子女，或本人代表配偶或未成年子女)是否持有任何公共或私營公司面值超過已發行股本百分之一的股份？

有 / 否

若有的話，請列出每間公司的名稱，並說明其業務性質。

50%股份：Fountain Success Ltd. - 物業控股有限公司

註： (a) 無須登記持有股份的數量或價值。

(b) 「股份」的定義是指個人持有的股份，並不包括議員以代名人身份持有的股份。

(c) 議員有責任登記據他所知屬於這類別的利益。

(d) 議員配偶的股份無須登記。除非議員知道配偶持有股份，而股份是議員連同其配偶或代表其配偶持有的。這項指引同樣適用於議員未成年子女的股份。

簽署：



登記日期：9.7.2012 時間：5:30 上午/下午  
Registered on: 9.7.2012 at 5:30 am/pm

2012年7月9日

日期：



**附錄 X**  
**Appendix X**

(不連附件)

(Enclosures not included)



香港九龍彌敦道 776-778 號  
恆利商業大廈四樓  
4<sup>th</sup> Floor Hanley House,  
776-778 Nathan Road  
Kowloon Hong Kong.

---

網址: Website	www.dphk.org
電郵: E-mail	dphk@dphk.org
電話: Tel	2397 7033
傳真: Fax	2397 8898

敬啟者：

修改議員個人利益登記冊的項目

本人最近翻查《議員個人利益登記冊》，發現在 2004-08 及 2008-12 的兩屆立法會任期內，本人透漏就一項董事職位及股份的申報。現特此來函，向 貴處補報，並就漏報一事，致以歉意。

事實上，本人現持有一間物業控股有限公司，Fountain Success Ltd.的百分之五十股份，亦是該公司的董事。該公司只有一個物業，而本人以信托人身份持有相關股份。本人在 2000-04 的立法會任期內，曾申報有關事項。但於 2004 年時，本人誤以為股份已轉回給該公司股份的實質擁有人，因而未有於 2004-08 及 2008-12 的兩屆立法會任期內，再次申報有關股份及董事職位。

就本人漏報一事，謹此致歉，但本人必須聲明，此公司並無實質業務，與本人的立法會事務及公職亦沒有任何實質或潛在的利益衝突。本人已更新的申報表已附在函件後。

此致

立法會秘書處

何俊仁  
立法會議員

二零一二年七月九日



立法會

LEGISLATIVE COUNCIL

來函檔號 YOUR REF :  
本函檔號 OUR REF : **CB(3)/C/CON/11 (12-16)**  
電 話 TELEPHONE : **3919 3301**  
圖文傳真 FACSIMILE : **2489 0288**

香港中環  
德輔道中 28 號  
盤谷銀行 7 樓  
何俊仁議員

何議員：

議員個人利益監察委員會(下稱"監察委員會")秘書於 2012 年 7 月 12 日接獲由一名市民發出的一封電郵(**附錄 I(a)**)，投訴閣下涉嫌蓄意隱瞞持有一間名為 Fountain Success Investment Company Limited (下稱"FSICL")的公司的股份、出任該公司的董事，以及透過該公司持有的土地及物業的利益，並作出失實申報。監察委員會秘書於隨後兩日分別再接獲由同一投訴人就該事宜發出的兩封電郵(**附錄 I(b)**及**附錄 I(c)**)。

2. 第四屆立法會的監察委員會於 2012 年 7 月 16 日召開閉門會議考慮上述投訴。鑒於距離第四屆立法會會期於 2012 年 7 月 18 日中止只餘一天，未有足夠時間按照有關程序處理該項投訴，第四屆立法會的監察委員會決定不跟進該項投訴，以及若投訴人同意，將該項投訴轉交第五屆(即本屆)立法會的監察委員會跟進。監察委員會秘書把該等決定告知投訴人，投訴人同意由第五屆立法會監察委員會跟進。

3. 監察委員會現正考慮上述投訴。根據載於**附錄 II**的《議員個人利益監察委員會接獲有關議員登記或申報個人利益、或議員申領工作開支償還款額的投訴時的處理程序》(下稱"《程序》")，有關投訴的處理現屬"初步考慮"階段。根據《程序》的第(7)段，初步考慮階段期間召開的會議的目的是：

- (i) 確定投訴的內容及指稱事宜所涉及的《議事規則》條款；  
及
- (ii) 掌握有關投訴及指稱事宜的有關資料，如：日期、金錢數額(若有的話)、涉及的人士等等。

4. 監察委員會察悉，閣下曾於 2012 年 7 月 9 日(即監察委員會秘書接獲上述電郵前)致函第四屆立法會的監察委員會(附錄 III)，表明閣下由 2004 至 2012 年兩屆立法會任期內(即第三屆及第四屆立法會)，遺漏向立法會秘書登記閣下在一間名為 Fountain Success Ltd.(下稱"FSL")的公司擔任董事職位及持有 FSL 的股份。閣下並表示，閣下是以受託人身份持有 FSL 的 50%股份。閣下解釋未有登記上述利益，是因為閣下於 2004 年誤以為 FSL 的股份已轉回實益擁有人。FSL 除持有一項物業外，並無業務運作，而閣下在 FSL 的利益與立法會事務或公職並無實際或潛在的衝突。閣下亦於該函件夾附《議員個人利益登記表格》的其中兩頁(下稱"登記張頁")，以就擔任 FSL 的董事職位及持有 FSL 股份的个人利益於 2012 年 7 月 9 日作出登記。

5. 監察委員會認為，上述投訴中的指稱事宜涉及根據《議事規則》第 83 條第(1)款及第(5)(a)、(g)及(h)款須予登記的三類個人利益，即"受薪董事職位"、"土地及物業"及"股份"。根據《議事規則》第 73(1)(c)條所訂的監察委員會職權範圍，監察委員會認為應考慮該宗投訴。《議事規則》第 73 條及第 83 條的複本載於附錄 IV。

6. 《程序》第(1)段訂明，若投訴關乎議員被指稱在投訴日期之前 7 年或以上期間所作的作為或漏報事件，監察委員會不會考慮該項投訴。由於上述投訴是於 2012 年 7 月 12 日首次作出，監察委員會須考慮的事宜是閣下在 2005 年 7 月 13 日至 2012 年 7 月 12 日期間(下稱"相關期間")有否按照《議事規則》第 83 條登記個人利益。

7. 《議事規則》第 83 條規定，議員須不遲於每屆任期舉行首次會議當天，或在其填補立法會議員空缺的日期起計 14 天內(視乎何者適用)，向立法會秘書提供其須予登記的個人利益詳情。此外，須予登記的個人利益如有變更，議員亦須在變更後 14 天內，向立法會秘書提供變更詳情。監察委員會曾審閱閣下在 2000 年 10 月 4 日、2004 年 10 月 6 日及 2008 年 10 月 8 日(即第二屆至第四屆立法會的首次會議當天)，以及 2012 年 7 月 9 日，就"受薪董事職位"、"土地及物業"及"股份"三類須予登記的個人利益，向立法會秘書提交的登記張頁。閣下在上述日期登記上述三類個人利益的詳情載於**附錄 V**。

8. 監察委員會現正根據《程序》的第(7)(ii)段，掌握有關投訴及指稱事宜的有關資料。監察委員會將會根據所掌握的資料，包括閣下對本函的回覆(若有的話)，考慮是否有需要根據《程序》第(9)段，邀請閣下出席會議作出解釋，以及提交資料。監察委員會亦可根據所掌握的資料，包括閣下對本函的回覆(若有的話)，完成初步考慮。

9. 此外，亦請閣下留意《程序》訂明的下列規定：

- (a) 若被投訴的議員在此階段承認所有指稱事項，而監察委員會認為可就此決定投訴是否成立，並決定無須舉行研訊，監察委員會須向立法會提交報告，並建議向被投訴的議員施加何種處分(《程序》第(11)段)；
- (b) 監察委員會若認為投訴不成立，可決定不進一步採取調查行動(《程序》第(12)段)；及
- (c) 在其他情況，監察委員會在完成初步考慮後會進入調查階段。

10. 監察委員會現邀請閣下就上述投訴(附錄 I(a)、(b)及(c))作出回應，並提供任何閣下認為可協助其工作的資料或意見。此外，監察委員會希望閣下回答下述問題並提供相關的文件及資料：

- (a) 閣下在 2012 年 7 月 9 日登記擔任 FSL 的受薪董事職位及持有 FSL 的 50% 股份，Fountain Success Limited 是否 FSL 的完整註冊名稱？若否，FSL 的完整註冊名稱是甚麼？若 FSL 是在本港公司註冊處註冊的公司，請提供 FSL 的公司編號。
- (b) 根據"董事職位"登記張頁的註(a)，"受薪董事職位"包括所有獲得薪金、酬金、津貼或其他實惠的董事職位，而須予登記的實惠的下限載於"董事職位"登記張頁的註(b)。請確認閣下在 FSL 所擔任的董事職位是否屬於"受薪"性質？
- (c) 在相關期間，閣下有否從 FSL 持有的一項物業獲得任何金錢利益？若然，詳情為何？及
- (d) 閣下曾來函表示是以信託人的身份持有 FSL 的 50% 股份，可否提供有關該信託的資料和文件？
11. 謹請閣下在 **2012 年 12 月 31 日或之前**回覆。
12. 如有疑問，請與下開簽署人聯絡。

議員個人利益監察委員會秘書



(梁紹基)

2012 年 12 月 17 日

連附件



立法會  
LEGISLATIVE COUNCIL

來函檔號 YOUR REF :  
本函檔號 OUR REF : CB(3)/C/CON/11 (12-16)  
電 話 TELEPHONE : 3919 3301  
圖文傳真 FACSIMILE : 2489 0288

香港中環  
德輔道中 28 號  
盤谷銀行 7 樓  
何俊仁議員

何議員：

多謝閣下於 2013 年 1 月 5 日回覆議員個人利益監察委員會(下稱"監察委員會")秘書於 2012 年 12 月 17 日致閣下的函件。監察委員會已於 2013 年 1 月 15 日舉行會議,繼續考慮針對閣下的投訴。監察委員會現希望閣下逐一和詳細回答載於**附錄**的問題,並提供相關的資料和文件。謹請閣下於 2013 年 2 月 6 日或之前回覆。

2. 有關投訴的處理現時仍屬"初步考慮"階段。監察委員會將會在考慮閣下的進一步回覆後,決定有否需要根據監察委員會處理投訴的程序的第(9)段,邀請閣下出席監察委員會的會議作出解釋,以及提交資料。
3. 如有疑問,請與下開簽署人聯絡。

議員個人利益監察委員會秘書



(梁紹基)

2013 年 1 月 23 日

連附件

1. 閣下在 2012 年 7 月 9 日致監察委員會的函件(下稱“來函”)中表示，閣下在 2004 至 2012 年的兩屆立法會(即第三及四屆立法會)的任期內，是以“信託人”身份持有 Fountain Success Ltd. (下稱“FSL”)的股份(下稱“該項信託”)，
  - 該項信託於何時訂立及由誰訂立？請提供訂立人的姓名及身份識別資料。
  - 其後曾否改變？
  - 若曾改變，詳情為何？
2. 閣下在 2013 年 1 月 5 日回覆監察委員會秘書的函件(下稱“覆函”)中表示，閣下“沒有持有任何信託的資料和文件”，
  - 該項信託在訂立時有否信託文件？
  - 若沒有文件，閣下可以如何證明信託的存在？
3. 閣下在 2012 年 7 月 9 日來函中表示，閣下在 2004 年時誤以為 FSL 的股份已轉回實益擁有人，為何會產生該誤會？
4. 若閣下當時以為股份已轉回實益擁有人，為何仍在 2004 年 10 月 6 日向立法會登記持有 FSL 的股份的個人利益？有關的登記是否錯誤登記？
5. 根據投訴人提交的資料，閣下簽署一份向公司註冊處就 FSL 提交而日期為 2005 年 9 月 8 日的周年申報表，當中顯示閣下為 FSL 的股東(投訴人於 2012 年 7 月 14 日發出的電郵第 4 頁)。既然閣下已向公司註冊處作出上述申報，閣下為何仍會在該日之後誤以為 FSL 的股份已轉回實益擁有人？
6. 既然閣下在 2004 年至 2012 年 7 月以為 FSL 的股份已轉回實益擁有人，為何閣下在 2008 年 9 月 8 日及 2010 年 9 月 9 日向公司註冊處提交文件(投訴人於 2012 年 7 月 12 日發出的電郵第 2 頁及於 2012 年 7 月 13 日發出的電郵第 3 頁)，證明自 2005 年 9 月 8 日提交周年申報表起，至提交文件日為止，周年申報表所載關於 FSL 的資料並無改變？
7. 閣下何時及如何發現誤會“FSL 的股份已轉回實益擁有人”？
8. 閣下在來函中表示 FSL 並無實質業務，有否資料或文件支持該說法？

9. 投訴人於 2012 年 7 月 12 日發出的電郵夾附的一份文件顯示，公司註冊處在 2004 年 9 月 16 日登記了一份文書，顯示香港上海滙豐銀行作為承按人向 FSL 提供按揭安排，為何 FSL 沒有實質業務但卻需要作出該項按揭安排？請提供該項按揭安排的具體內容。
  
10. 閣下在覆函中表示，閣下在 FSL 的董事職位並不屬於受薪性質，而閣下從來沒有因擔任該董事職位而獲得任何薪金、津貼或其他實惠。既然如此，閣下在 2012 年 7 月 9 日登記擔任 FSL 的受薪董事職位，有關的登記是否錯誤登記？





**民主黨立法會議員辦事處**  
Democratic Party Legislative Councillors' Office

香港中區立法會大樓一號  
立法會綜合大樓9樓909-914室  
Room 909-914, 9/F, Legislative Council Complex,  
1 Legislative Council Road, Central, Hong Kong  
電話 Tel: 2537 2319  
傳真 Fax: 2537 4874

致議員個人利益監察委員會  
秘書

梁紹基先生：

就2012年12月17日來函涉及本人漏報持有 Fountain Success Investment Co. Ltd. (簡稱 FSL) 股權事宜，本人除重申載於2012年7月9日來信的解釋外，現進一步作澄清和補充：

- (1) 其實本人只是就2008-2012年度漏報相關 FSL 的利益；而本人再查閱2004-2008年度申報紀錄後，發現並沒有漏報相關的利益。
- (2) 投訴人指本人蓄意隱瞞漏報 FSL 的利益，但本人卻從沒有任何動機去隱瞞此事，亦沒有因漏報而得益。

就來函第10段的查詢，本人答覆如下：

- (a) Fountain Success Ltd. 的完整註冊名稱是 Fountain Success Investment Co. Ltd. 公司註冊編號是 102723；
- (b) 本人在 FSL 的董事職位並不屬於受薪性質，而本人從來沒有在 FSL 因擔任董事而獲得任何薪金、津貼或其他實惠；
- (c) 在相關期間，本人並沒有以 FSL 持有的物業獲取任何金錢利益。
- (d) 由於本人並沒有持有任何信託的資料和文件，故此本人選擇申報此項利益，但本人現已安排把實質利益轉還原有物主。

何俊仁

立法會議員

二零一三年一月五日



立法會議員何俊仁辦事處

**ALBERT HO CHUN YAN'S OFFICE**  
THE HONOURABLE LEGISLATIVE COUNCIL MEMBER

本署檔號 Our Ref:

來函檔號 Your Ref: CB(3)/C/CON/11(12-16)

電話 TEL: 2463-0399 25227721

圖文傳真機 FAX: 2462-8368 2868-2797

致議員個人利益監察委員會  
秘書

梁紹基先生：

就閣下 1 月 23 日的來函附件中所列出的多個問題，本人現按同一次序逐一回覆如下：

- (1) 有關 FSL 的股份的信託關係，並非正式以法律文件成立的。信託是基於 FSL 所持物業是本人弟婦潘昭婉金錢購買的，故潘女士是 FSL 股份（包括所持的物業）的實益擁有人(beneficial owner)。在法律上，本人只是名義上的董事和股東(nominee director and shareholder)。這是 FSL 信託的本質。
- (2) 由於潘女士是本人的弟婦，並基於雙方的信任，她始終並沒有要求本人簽署任何信託文件。
- (3) 按記憶，本人與潘女士曾商討把股權轉回給她；這大約發生在 2004 至 2008 年間。潘女士答應了，但相信由於事忙，她並沒有立即安排。至 2008 年申報利益時，本人卻產生了錯誤印象，以為已經辦妥了手續。
- (4) 我相信錯誤的印象是產生在 2004 年和 2008 年之間。在 2004 年我仍然向立法會申報了 FSL 的利益，但到 2008 年時，我卻因錯誤印象而沒有申報。
- (5) 請參閱以上第(3)和(4)段答覆。
- (6) 在 2008 年後，當 FSL 秘書要求本人簽署有關文件時，本人才知悉並未辦好手續。當時本人曾催促潘女士盡快辦理手續。但在事件拖延期間，本人因公事人繁忙，忘卻向立法會秘書處更正已申報的記錄。
- (7) 有關的手續現已辦好。本人現只各義上擁有 0.01% FSL 的股權。本人確認並沒有收到任何金錢作為這安排的代價。請參閱附件(A)。

屯門大興邨興輝樓地下 15 及 22 號

RM. 15 & 22, G/F, HING FAI HOUSE, TAI HING ESTATE, TUEN MUN, N.T., HONG KONG



立法會議員何俊仁辦事處

**ALBERT HO CHUN YAN'S OFFICE**  
THE HONOURABLE LEGISLATIVE COUNCIL MEMBER

本署檔號 Our Ref:

來函檔號 Your Ref:

電話 TEL: 2463 0399

圖文傳真機 FAX: 2462 8368

- (8) 除了在 80 年代期間向曾買了一個物業外，FSL 只持有一個物業，即香港樂活道 6 號比華利山 A 座 16/F 2 室。此物業是潘女士和家人(即吾弟及子女)的居所。二十多年來，FSL 只持有這物業和不時持有一部汽車為潘女士及家人所享用，並沒有任何其他投資。FSL 每月收得來自潘女士的租金亦作為按揭供款之用。
- (9) 這項按揭安排是透過加按比華利山的物業，使潘女士可獲額外現金貸款，購買兩部汽車，為她及家人所享用。
- (10) 基於上述的事實，本人相信這項利益申報的登記其實是可省免的。

何俊仁  
立法會議員

二零一三年二月十五日

屯門大興邨興輝樓地下 15 及 22 號

RM. 15 & 22, G/F, HING FAI HOUSE, TAI HING ESTATE, TUEN MUN, N.T., HONG KONG

Certificate Number : 3

## SHARE CERTIFICATE

### Fountain Success Investment Company Limited

(INCORPORATED IN HONG KONG UNDER THE COMPANIES ORDINANCE, CAP. 32)

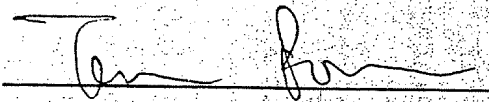
THIS IS TO CERTIFY THAT THE UNDERMENTIONED PERSON IS THE REGISTERED HOLDER OF THE STATED NUMBER OF FULLY PAID SHARES IN THE ABOVEMENTIONED COMPANY SUBJECT TO THE MEMORANDUM AND ARTICLES OF ASSOCIATION THEREOF.

Name and Address of Shareholder	Poon Chiu Yuen of [REDACTED]		
No. of Shares	- 9,998 -	Class of Shares	Ordinary
Par Value	HKD - 10.00 - Per Share		
Distinctive No.			

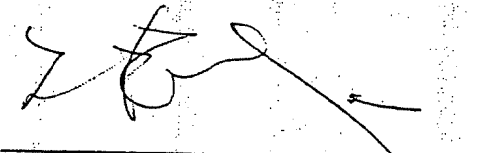
GIVEN UNDER THE COMMON SEAL OF THE COMPANY IN HONG KONG THIS 11 January 2013

The Common Seal is hereunto affixed in the presence of:-

Director



Director



NO TRANSFER OF ANY PORTION OF THE SHARES COMPRISED IN THIS CERTIFICATE IS VALID UNLESS ACCOMPANIED BY THIS CERTIFICATE.

Company No. : 102723

Date : 11 January 2013

The Directors  
Fountain Success Investment Company Limited  
Flat A2, 16/F., Block A, Beverly Hill,  
No. 6 Broadwood Road, Hong Kong

Dear Sir/Madam,


APPLICATION FOR SHARE(S)

I, POON Chiu Yuen of [REDACTED]  
[REDACTED] hereby apply for and request you to allot the following share(s) in the capital of your company to me.

<i>Class of Shares</i>	<i>No. of Shares Applied for</i>
Ordinary	9,998

If my application is accepted, I agree to take the said share(s) subject to the Memorandum & Articles of Association of the Company and I authorize you to enter my name in the Register of Members as the holder of the said share(s).

Yours faithfully,

  
\_\_\_\_\_  
POON Chiu Yuen

Company No. : 102723

**FOUNTAIN SUCCESS INVESTMENT COMPANY LIMITED**

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**WRITTEN RESOLUTIONS OF THE SHAREHOLDER(S)** made pursuant to Article of the Articles of Association of the abovenamed Company:-

---

MANDATE TO ALLOT SHARES

“That unconditional approval be and is hereby given to the Directors pursuant to Section 57B of the Companies Ordinance to exercise the powers contained in the Company's Articles of Association to allot shares without the prior approval of the Company in General Meeting and that such approval shall continue in force until the conclusion of next Annual General Meeting of the Company or the expiration of the period within which the next Annual General Meeting is required by law to be held, whichever is the earlier.”


ALLOTMENT OF NEW SHARES

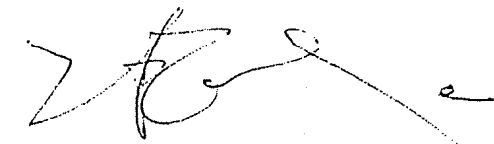
NOTED that application(s) by the following allottee(s) for allotment of the following share(s) in the capital of the Company as fully paid up at par and to rank in pari passu with all existing issued shares were received by the Company.

RESOLVED that the said application(s) for allotment(s) be approved, and that new share certificate(s) be issued under the Common Seal of the Company to the respective applicants and that the necessary notice(s) be filed with the Companies Registry in accordance with the Companies Ordinance.

Allottee: Poon Chiu Yuen  
Ordinary 9,998

Dated: 11 January 2012

  
\_\_\_\_\_  
Poon Chiu Yuen

  
\_\_\_\_\_  
Ho Chun Yan

Company No. : 102723

**FOUNTAIN SUCCESS INVESTMENT COMPANY LIMITED**

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**WRITTEN RESOLUTIONS OF DIRECTORS** made pursuant to Article     of the Articles of Association of the abovenamed Company:-

---


ALLOTMENT OF NEW SHARES

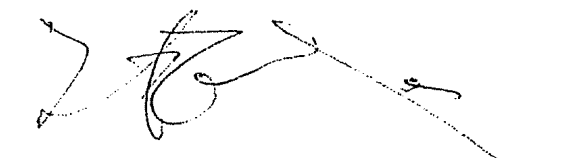
NOTED that application(s) by the following allottee(s) for allotment of the following share(s) in the capital of the Company as fully paid up at par and to rank in pari passu with all existing issued shares were received.

RESOLVED that the said application(s) for allotment(s) be approved, and that new share certificate(s) be issued under the Common Seal of the Company to the respective applicants and that the necessary notice(s) be filed with the Companies Registry in accordance with the Companies Ordinance.

Allottee:        Poon Chiu Yuen  
Ordinary        9,998

Dated: 11 January 2013

  
\_\_\_\_\_  
Poon Chiu Yuen

  
\_\_\_\_\_  
Ho Chun Yan



股份分配申報表  
Return of Allotments

公司註冊處  
Companies Registry

(公司條例第 45(1)條)  
(Companies Ordinance s. 45(1))

表格 Form **SC1**

**重要事項 Important Notes**

- 填表前請參閱〈填表須知〉。  
請用黑色墨水列印。
- Please read the accompanying notes before completing this form.  
Please print in black ink.

公司編號 Company Number

102723

**1 公司名稱 Company Name**

Fountain Success Investment Company Limited

(註 Note 7) **2 分配股份的日期或始末日期 Date or Period during which Shares were Allotted**

由 From

11	1	2013
日 DD	月 MM	年 YYYY

至 To

--	--	--
日 DD	月 MM	年 YYYY

**3 本次股份分配的總款額 Totals of this Allotment**

(註 Note 8)

已繳及應繳的總面額  
Total Nominal Amount Paid and Payable

已繳及應繳的溢價總額 [第 5A(a) + 5B(a)項]  
Total Premium Amount Paid and Payable [Sections 5A(a) + 5B(a)]

貨幣單位 Currency	款額 Amount
HKD	99,980.00
	(Nil)

**4 公司自成立為法團當日起計，累積的已繳股款總額(包括本次分配但不包括溢價)  
Cumulative Total of Paid-up Share Capital of the Company since Incorporation (Including this Allotment but Excluding Premium)**

貨幣單位 Currency	款額 Amount
HKD	100,000.00

(註 Note 3) **提交人的資料 Presenter's Reference**

姓名 Name: Ms. Poon Chiu Yuen

地址 Address:

電話 Tel:

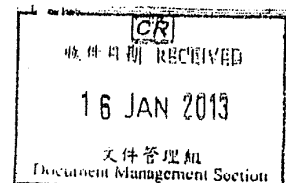
傳真 Fax:

電郵地址 E-mail Address:

檔號 Reference:

指明編號 2/2004 (修訂) (2004 年 2 月)  
Specification No. 2/2004 (Revision) (Feb. 2004)

**請勿填寫本欄 For Official Use**





5 本次股份分配的詳情 Details of this Allotment

A. 現金支付的分配股份 Shares Allotted for Cash

股份類別 Class of Shares	獲分配的 股份數目 Number of Shares Allotted	每股的面值 Nominal Value of Each Share	每股已繳及應繳的款額(包括溢價) Amount Paid and Payable on Each Share (Including Premium)		每股的溢價款額 Premium on Each Share	已繳及應繳的溢價總款額 Total Premium Paid and Payable (a)
			已繳付 Paid	應繳付 Payable		
Ordinary	9,998	HKD 10.00	HKD 10.00	HKD 0.00	HKD 0.00	HKD 0.00

(註 Note 9) B. 非現金支付的分配股份 Shares Allotted otherwise than in Cash


股份類別 Class of Shares	獲分配的 股份數目 Number of Shares Allotted	每股的面值 Nominal Value of Each Share	每股被視作已繳及應繳的款額(包括溢價) Amount Treated as Paid and Payable on Each Share (Including Premium)		每股的溢價款額 Premium on Each Share	被視作已繳及應繳的溢價總款額 Total Premium Treated as Paid and Payable (a)
			已繳付 Paid	應繳付 Payable		

(註 Note 10) 分配上述(B)項股份的代價  
Consideration for which the Shares in (B) have been Allotted

--

**6 獲分配股份者的詳情 Details of Allottee(s)**

姓名／名稱 Name	地址 Address	各類別股份分配的數目 No. of Shares Allotted by Class	
		類別 Class	類別 Class
		Ordinary	
Poon Chiu Yuen	[REDACTED]	9,998	
各類別股份分配的總數 Total Shares Allotted by Class		9,998	

簽署 Signed :   
 姓名 Name : POON Chiu Yuen  
 董事 Director / 秘書 Secretary \*

日期 Date : 11/1/2013  
 日 DD / 月 MM / 年 YYYY

\*請刪去不適用者 Delete whichever does not apply

**立法會**  
**Legislative Council**

立法會CMI/46/12-13號文件

**議員個人利益監察委員會**  
**於2013年4月8日(星期一)上午9時正**  
**在立法會綜合大樓會議室4**  
**就初步考慮一宗針對何俊仁議員的投訴**  
**與何俊仁議員會面的過程**  
**的逐字紀錄本**

**出席委員** : 葉國謙議員, GBS, JP (主席)  
劉慧卿議員, JP (副主席)  
林健鋒議員, GBS, JP  
易志明議員  
范國威議員  
陳婉嫻議員, SBS, JP  
郭榮鏗議員

**應邀出席議員** : 何俊仁議員

**列席秘書** : 總議會秘書(3)3  
梁紹基先生

**列席職員** : 秘書長  
陳維安先生  
  
副秘書長  
林鄭寶玲女士  
  
助理秘書長3  
梁慶儀小姐  
  
高級助理法律顧問3  
顧建華先生

高級議會秘書(3)6

何艷芳小姐

研究主任(3)

梁頌恩先生

一級行政事務助理(3)1

朱健恩女士

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**主席：**早晨，多謝何俊仁議員出席議員個人利益監察委員會今天的會議。

按照監察委員會處理投訴程序的第(9)段，今天會見何議員的目的，是希望何議員就一宗針對你的投訴向委員會所提交的資料和解釋，回答議員的問題。

我想告訴何議員，今次的會面會在10時前結束，不會遲於10時。如果大家可以早一些提問完畢，或者會提早結束會面。

此外，我們會就今次會面進行逐字紀錄，而逐字紀錄本在獲得本委員會的委員和何議員確認後，會納入監察委員會向立法會提交的報告內。

**何俊仁議員：**主席，請問是否全部程序也是這樣的？即任何議員受到投訴，也是採用同一方式處理。因為我這個case比較特別。

**主席：**請秘書回答。

**秘書：**根據以往做法，也是將逐字紀錄本納入為報告的一部分，除非委員另有決定。

**何俊仁議員：**即是到現在也是按一般程序處理？

**主席：**是的。

**何俊仁議員：**沒有問題。

**主席：**我亦要告知何議員，這次會面詳情須予保密。

**何俊仁議員：**好。

**主席：**到底要發表多少內容，我們委員會在與何議員會面後會有討論，但在逐字紀錄本方面，我們有這樣的安排。至於是否全部寫出來，又或是發表多少，本委員會會再作討論。

由於有很多相關文件，包括何議員也提交了一些解釋等等。委員可能會在過程中引用這些文件，包括你的答覆，以及我們在提問時的一些表達。如果大家有需要表達這方面的內容，請委員先說明所引用的文件，或過程中的哪段說話，讓何議員能夠清晰……找到你所提問的文件，或一些未能盡釋你的疑團的內容。所以，在這過程中，如果委員就某份文件提問，請委員清楚說明，以便大家進行討論。

大家對此是否清楚？如果沒有其他問題，我先請何議員……有沒有需要就今天的會面……你之前已經作了詳細答覆，我相信你知道委員所關心的重點問題。你是否打算事先向大家作出表達？我先把時間交給何議員。

**何俊仁議員：**我想簡單說說。大家也看到我的書面解釋，其實就我自己……不單是理解，以我自己的認知和我自己的處理而言，其實這整間公司當中的資產並不是屬於我的。不過，我也知道有一個問題，就是我没有做過任何信託文件，所以，後來我覺得，由始至終，我是寧願作出申報的，因為沒有做過信託文件。直至2008年有一次漏報，到2012年的時候補報，情況就是這樣。

所以，我覺得信託方面，如果真的有一個信託文件——如果真是一間信託公司，我知道是無須申報的。所以，我覺得寧願緊一些；寧願當我自己在有關時候無法提供確實的信託文件，我也不想大量翻查[資料]，以證明這間公司由誰付錢，於是乎實質上並非由我擁有；我不想做這樣的工作，我寧願承認我是漏報。所以，我是從一個漏報的角度來補報，也就這件事向立法會表達我的歉意。直至最近，我已補辦手續，大家看到就是把股份擴充至現時的1萬股，而我只是佔1萬股中的1股，其他

都是屬於我的弟婦。所以，這就很清楚了，以後我相信這件事對我而言就是解決了，就是這樣。

**主席：**如果情況是這樣，有沒有委員向何議員提問？陳婉嫻議員。

**陳婉嫻議員：**何俊仁議員，我純粹是技術上的提問。你剛才說，你並沒有花時間就漏報一事查核大量文件。你是否指這個內容？即你沒有翻查大量文件，你指的是否……

**何俊仁議員：**不是。我的意思是，如果我要證明這間公司由始至終是一間信託公司，在法律上有兩個方法，第一個方法就是早已有一份信託文件，這個是決定性的文件。第二個做法是，我證明根本由始至終或在有關的時間內，全部資產都並非屬於我的，這個方式就是要看看資金從何而來等等，這做法要翻查很久以前的資料，因為這公司已經成立了二十多年，如果要翻查二十多年前的數，我覺得無須這樣做。所以，我寧可選擇申報，便是那麼簡單。

**陳婉嫻議員：**但你這樣便出了問題。正如你所說，你也承認這是一個錯誤。

**何俊仁議員：**是的，我承認這是一個錯誤，所以我寧可補報，而不寧願說我不應該申報，因為我覺得這樣會更加麻煩，我需要做的事情會更加多。

**陳婉嫻議員：**我主要想搞清楚你剛才說的內容是指哪方面。

**主席：**林健鋒議員。

**林健鋒議員：**何議員，我相信在做信託方面，你比我更為專家。你剛才提到沒有做文件，所以便沒有把所有紀錄保存下來。可是，在法律層面來說，如果口頭上承諾做信託人，其實也已經是有效的，我的理解是否正確呢？

**何俊仁議員：**不完全是這樣。當然，並非一定要書面才是證實有信託的唯一方式。其中一個方法是證明到有關公司內的資產的實質擁有權屬於何人，這是其中一個最決定性的證明。可是，正如我所說，由於這間公司是我弟弟在二十多年前付款購買的，所以是一件很麻煩的事情，要我翻查二十多年前的銀行帳目和取得有關帳目，我相信未必做得到。然而，這事實上是她居住了二十多年的物業，是他自己家庭的公司。所以，我寧願不做這件事，而寧願當我擁有一半而這樣作出申報，事實上我是漏報了。

至於口頭信託，當然在我與弟婦之間，她是相信我的，所以她由始至終也把我當作信託人，我亦接受我是一個信託人，但對於外界來說，我是沒有這樣的書面證明。所以，我寧願多做些工夫去申報，即根據手續申報我擁有一半，但我在2008年漏報了，因為我有些誤會，以為已經解決了。我在2008年是漏報的，而當我一發現漏報後，我即時補報，我承認是漏報了。直至最近我解決了有關手續，我相信以後便無須再申報了。

**林健鋒議員：**其實我的問題是，做一個信託人，姑勿論他有做文件抑或沒有做文件，如果沒有做文件時，一個口頭上的承諾也是已經生效的了，即成為了信託人？

**何俊仁議員：**就我與該名當事人——實質受益人——而言，這是有法律效力的，但對於外人來說，別人未必相信你，便要去法庭——如果出現爭拗時，便要到法庭，由法官看過所有證據來證實是這樣。或者對委員會來說，我把所有證據交給委員會，大家看完後證實我是一個實質信託。可是，我認為無謂花費這些時間。我寧願承擔責任，我應該要申報。

**林健鋒議員：**我想再繼續問第二個問題。就是你作為信託人，除了信託人應做的工作外，例如在借貸、金錢方面，你有否作出任何例如擔保、你借錢給她、或者她借錢給你，有否藉着這間公司有任何金錢上的往來交易呢？

**何俊仁議員：**我記得沒有，除了她曾經再購買一個物業，可能銀行要求我作為董事要有些擔保，我記得可能曾經簽過這類文

件。可是，實際上，即使再買一個物業也與我無關，也是由我弟婦再付款的。

**林健鋒議員**：可否清晰一些，你說可能有抑或沒有呢？即你說她可能會利用這個物業借錢，再購買另一個物業……

**何俊仁議員**：你當有吧。

**林健鋒議員**：好的，謝謝……

**主席**：我想問，你剛才提到再買物業，好像沒有說過再買物業，只是買汽車而已……

**何俊仁議員**：我不記得他最近在太古城有沒有物業，可能不是用這間公司買。

**主席**：因為在你一直提供的文件中，據我記憶，我一直看下去也是沒有購買物業，只是說換車時做了按揭。

**何俊仁議員**：我先看看有沒有。他最近的物業可能不是用公司購買的。

**主席**：因為你在給我們的信件中，指出這二十多年來，FSL只持有這個物業和不時持有一部汽車……

**何俊仁議員**：你是對的，主席。我翻看balance sheet，如果你需要也可以交給你們，只有一、兩部車曾經轉換，是家庭用的。應該沒有其他，那個物業不是用這間公司購買的，即是我沒有參與購買那個物業。不過，有時候我會混亂了，因為我是律師，有時候會替他辦理一些手續，有時候可能會記錯了。

**主席**：另外，剛才你承認在2008年漏報，這是你從來都沒有說過的……



**何俊仁議員**：有，我寫過一封信……

**主席**：即你現在基本上是承認，你是錯報了……

**何俊仁議員**：不是、不是。

**主席**：……即是說，由於你在2008年的時候，你也覺得你自己不是實際的股東，你只是信託身份。所以，由於是信託，這是一個錯報，但你剛才又提到漏報，為甚麼？

**何俊仁議員**：不是，我記得我的信是指我是漏報的，我記得我寫信的時候，我是寫我漏報的。我寧願——我剛才也說了，因為我不想花大家太多時間，來檢查以往公司的很多財務資料，然後證明其實我是信託人，於是我無須申報。我的出發點是，我寧願，我應該緊一些——即我接受我有責任申報。大家無須理會信託的問題，你就當是我的[股份]，我有一半[FSL股份]，就這樣。我覺得我承擔這個責任去申報，比較清楚一點，對嗎？

因為反正這間公司，各位，我覺得我不會很擔憂地說，如果我承擔這申報責任會有其他甚麼後果。因為由始至終，這間公司是私人的家庭公司；這層樓我弟弟居住了二十多年，沒有甚麼其他活動或商業活動，除了購買這兩部車之外；更與我的公職沒有關係，完全沒有任何利益衝突。所以，我不會擔心你當我有一半股份，我漏報了，會對我有很負面的影響。我覺得遺漏就是遺漏了，我寧願要求自己緊一點——你自己沒有做信託文件，自己不小心，你便要承擔責任，其他人便會當你是實質業主——我是從這個角度來補報。

**主席**：我清楚聽到何議員你這方面的看法。不過，我需要再提一提，因為在你本身的回信，即在2013年2月15日回覆秘書的信件中的第(4)段。你一直的說法是，我讀出你的回覆……

**何俊仁議員**：是哪個日期的信？

**主席**：那份文件是CMI/33.....

**何俊仁議員**：不如你說日期.....2月15日，是的，我找到了。

**主席**：找到了嗎？我只是想你澄清一下，你在第(4)段提到："我相信錯誤的印象是產生在2004年和2008年之間。在2004年我仍然向立法會申報了FSL的利益，但到2008年時，我卻因錯誤印象而沒有申報。"

**何俊仁議員**：是的。

**主席**：我想澄清你剛才所說的內容，因為你提及到，你承認在2008年漏報，但漏報和錯報是兩回事，所以，我請你在這方面再澄清。

**何俊仁議員**：不是，這裏是說"因為錯誤印象而沒有申報"，那個錯誤印象在前面有提到，我以為.....

**主席**：所以，以你的解釋，你承認是錯報。

**何俊仁議員**：不是錯報。

**主席**：不是錯報.....即是你仍然覺得自己是漏報.....

**何俊仁議員**：我覺得我在2008年.....我到現在仍覺得，我的意願是申報的。說回頭，我覺得2008年.....

**主席**：我想提供一些資料給你而已，你要知道，如果你作為一個信託[人]來說，你是無須申報的。

**何俊仁議員**：但這並沒有妨礙我選擇去申報，對嗎？如果我是信託人也好，我一併申報，我當自己是實質擁有人，因為我不想大家問我那麼多事，算了，你當我是業主，我一併申報，我

覺得這也沒有問題，對嗎？申報多了比不申報好。因為我寧願錯，錯在我申報多了，也比應申報而不申報好。我的態度是這樣，所以我寧願在2008年申報，我覺得我應該申報。

**主席：**好的，我只是向大家澄清你的問題。

**何俊仁議員：**我現在的立場是，我寧願大家覺得我應該要申報，我亦不想再爭拗那些信託的問題。大家知道，當時有很多人問我很多東西，我便解釋原因，為何漏報了。到現在我承擔責任，應該要申報，我覺得申報了便清清楚楚，沒有這麼多疑問。

**主席：**郭榮鏗議員。

**郭榮鏗議員：**何議員，我想問，你說你當年是一個bare trustee，即你和你弟婦之間的共識都是你是一個bare trustee或者一個nominee。

**何俊仁議員：**是。

**郭榮鏗議員：**我想問，如果是這樣的話，為何你現在還要持有0.01%[FSL股份].....

**何俊仁議員：**其實都是會一併轉回給她的，只是沒有時間做，即會做一張很簡單的trust document。其實可能已經簽了，我不記得，因為現在只是0.01%，已經沒有甚麼所謂。

**郭榮鏗議員：**即你現在持有這0.01%，都是用一個bare trustee或者一個nominee的身份.....

**何俊仁議員：**都是bare trustee。

**郭榮鏗議員：**那麼，你會否打算補做一個簡單的信託呢？一頁紙便可以，你都知道的。

**何俊仁議員**：你問我，可能簽年報的時候一併簽署，我是會補做這件事的。不過，反正現在已經低過50%，已不需要再申報。

**主席**：我也希望何議員澄清，為何你不一次過……為何還要留下1股在那裏呢？

**何俊仁議員**：不是留下，因為她現在所做的事全部由會計師處理。譬如現在把我的股份所謂"沖淡"到0.01%，是她向會計師發出指示，而我同意，很簡單，便這樣做了。

至於trust方面，是應該一併做的。但是，我不記得現在做了沒有，我不想答得很……答錯了，可能已經簽署了也說不定。不過，這0.01是很肯定的，0.01%，肯定也不是我的，遲早都會轉回給她的，如果未簽的話。

**主席**：但據我所知，這是很近期的事。

**何俊仁議員**：是近期做的。

**主席**：但是，你剛才說，這麼近期，你都記不起有沒有一併簽署，會否有點感覺到你很……

**何俊仁議員**：主席，如果你瞭解我每天簽署多少份這類文件，你會知道真的不容易記得。不過，反正不是太重要，主席。因為我覺得，由始至終，大家當我沒有申報，即我沒有履行到應該履行的責任。所以，由始至終，這股份你當是我的，都沒有問題。我現在只是轉回給我的弟婦，是日後的事。

所以，日後大家再看看吧，如果大家還懷疑我有沒有轉回給我弟婦。如果日後我沒有申報的話，大家可以看看我是否出現了問題。

不過，我很清楚跟大家說，我的意圖是很清楚的，就是將它全部轉回——主要的股份全部轉回給她，而這0.01%，是一定

會轉回給她的。我現在不記得是否肯定簽署了，但很大可能已經簽署了也說不定。

**主席：**林健鋒議員。

**林健鋒議員：**就着何議員剛才的說法，我想你澄清一點。你說"轉"，是沒有錢銀交易的"轉"，還是買賣方式的"轉"？

**何俊仁議員：**沒有，百分之百沒有錢銀交易。一分錢也沒有收過。

**主席：**大家還有沒有提問？

**何俊仁議員：**主席，我今天帶了balance sheet來。不過，其實我不太想，因為這些是別人家庭公司的東西，如果沒有需要的話，其實我不太想交出來。不過，我相信會予以保密的。如果主席、委員或法律顧問有興趣看的話，便給大家看看，證明那些車，就只有那麼多，其實這間公司不是有很多東西。

**主席：**好的，如果你覺得可以給我們的話，我們都會看的。

**何俊仁議員：**這些是最近3年的。你需要的話，當然以前的也有，但是……

**主席：**何議員，其實我有一個問題想問你。現在一直有一個看法，就是你口頭承諾做信託人。在做信託人的情況下，當時因為你沒有實質簽署[信託文件]，這你剛才已解釋過。為令公眾或委員對你這個信託身份有更清晰的考慮，你有沒有考慮過做一些工夫，令大家都能夠更好地確認一下呢？

**何俊仁議員：**主席，我不是太明白，為何大家會有這個要求，因為我已經跟大家說得很清楚，就是如果我是一個信託人的話，根本不需要申報。大家是否想找一個答案，就是告訴我，

你根本無須申報，你申報這麼多是多餘的。大家作為委員，寧願大家申報多了，總較申報少了為佳。

其實大家很多時候在外邊——我記得，很多時候在申報利益時，主席都會問，你決定是否申報，申報多了總比申報少了為佳，我也是採取這個立場，希望大家不會難做。如果大家一直這樣調查下去，我不是有很大問題，即使讓大家調查下去，也沒有甚麼，這只是一間家庭公司。不過，問題是，你調查下去，你想達到甚麼結論呢？我已經告訴大家，以一個最高的要求，就是應該申報。大家想一下，如果我由始至終全部申報了，便沒有問題了。如果我由始至終全部申報了，接着有人說，原來你是信託公司，你申報來幹甚麼？我想沒有一個外人，沒有一張報紙會“嘈”我：“何俊仁，你申報這麼多幹甚麼？”

所以，主席，從這個角度，有沒有需要再去調查，這個信託是否實際一定存在的問題？不過，大家既然在跟進這件事，有興趣問，我覺得可以將那些文件一併交給大家看，而最近亦已做好手續。如果我沒有做這項手續，我便會繼續申報我有一半，對嗎？

**主席：**大家關注的問題是信託，不是查不查的問題。可以這麼說，因為其實在法律上，口頭上都已經是一個很清晰的……據我的理解，都已經是合適的了。問題是現在有人投訴，而該投訴人指你本身擁有……你要知道，投訴人的一個很主要的考慮點，是認為你本人一時覺得有，一時覺得沒有。主要的關鍵就是，據你的理解或者你自己的處理過程……而信託人本身是根本不需要申報的。但是，如果你不是信託，那你就需要申報，這便關乎到事實方面……

在事實方面，就是按照那個方向處理。如果用最簡單的做法，用最高的標準，全部……作為……即使不是信託人……是我自己直接擁有……我便是漏報。這未必是我們現在處理你的投訴個案的考慮點。我不知道你是否明白，我們主要是將事實情況……

**何俊仁議員：**我不是太明白，因為我知道這個委員會其實最關心的就是議員是否有充分披露。你所關心的，就是如果沒有充分披露的話，解釋是甚麼。第一，你要查清楚，有沒有議員漏報，然後漏報的解釋是甚麼。所以，第一個問題，我已經告訴大家，不需要理會那是否信託的問題，總之我要申報，我覺得

我應該要申報，我是漏報了，我要求自己一個最高的標準。其實，從委員會的角度來說，這有甚麼問題呢？你現在寧願議員是……

**主席：**那麼，那件事可能叫做漏報了，對嗎？

**何俊仁議員：**我已承認了漏報，其實我已經解釋了，我是漏……

**主席：**……即你現在承認漏報了？

**何俊仁議員：**……是，是，我承認了。所以，大家看得到，整件事披露出來，就是因為我寫了一封信作出補報，我在信中就漏報道歉，所以我是承擔一個最高的標準，即應該要申報。我亦會覺得，大家同事，即我自己的一個建議，以後如果你持有人家的東西，而你沒有信託文件的話，最好便作出申報，免卻麻煩。

最好便是申報了，為甚麼？人家問你的時候，如果你能夠立刻拿出文件來，事情就很簡單，否則你要解釋很多，也要花同事很多時間去調查，你口頭上說的事情是否真確，有甚麼東西證明你的口頭信託是一個合法的信託。這方面，我覺得不要那麼麻煩，我覺得，如果沒有信託文件，倒不如選擇申報。我今次選擇作出申報，是一個最好的做法。

**主席：**劉慧卿議員。

**劉慧卿議員：**多謝主席。主席，我相信你是因為那個投訴人而問何議員那些問題。何議員承認了漏報，但現在出現一個問題，我相信何議員都要瞭解，就是那投訴人指你涉嫌蓄意漏報，以及作出失實申報。有些議員就會覺得，沒有證據證明你不是蓄意。主席，你是否想何議員回應這點，還是怎樣呢？

**主席：**不是。

**劉慧卿議員**：他已經承認漏報，你卻不斷圍繞這問題，那怎麼辦呢，主席？

**主席**：不如你向何議員提問吧！委員問不要在這場合討論……

**劉慧卿議員**：在是否蓄意[漏報]方面，有些人說是否可以有些證據，證明你不是蓄意的呢？因為那個人不單指你漏報，他是說你蓄意漏報。

**何俊仁議員**：明白。有人有這種質疑，我是理解的。我亦解釋過，事實上，在2008年的時候，我漏報的原因是甚麼。我真的有一個錯誤的印象，以為是解決了，從外人的角度來說，就會覺得你這種事也會不記得？我告訴你，我這次真是"論盡"。就是不記得了，就是搞亂了，因為我日常要處理很多文件，以致我有時候會記得不太清楚，因為要簽的東西實在太多。所以，我覺得我只能夠這麼說，我亦在發現後，大家看得到，我第一時間自己申報，而這是沒有好處的。

其實，我看不到我今次蓄意漏報是想隱瞞任何東西，是沒有的。大家想想，如果我由始至終全部申報了，有甚麼問題呢？是沒有問題的。我在區議會又有申報，我覺得市民用質疑的眼光，我是理解的，即為何這樣也會不記得的呢？但是，我只能夠說，我真的是糊塗，是"論盡"，不記得。我日後只能把我的制度做好一點，我的私人秘書替我把東西check好一點，我只能夠這樣說，我沒有甚麼進一步資料可以證明，我不是蓄意漏報的。

**主席**：易志明議員。

**易志明議員**：主席、何議員，我也想跟進剛才郭榮鏗議員問的問題。你剛才說過，這間私人公司已經有二十多年歷史了，其間曾經有申報，又不記得申報，你也知道是麻煩的事。我回答不到我自己心裏的一個疑問，既然你最近嘗試解決這問題，為何明知這麼麻煩，何不一次過斬掉呢？為何還留下0.01%[股份]呢？這是我回答不到我自己的問題。



**何俊仁議員**：其實很簡單，易議員。是沒有這個需要，因為有時候他們 —— 我的弟婦不是經常在香港，有時候簽署一些支票要我幫忙。我不覺得因為我是議員，便連家庭裏的一些東西 —— 0.01%的東西 —— 都不可以替家人持有或繼續做董事。大家緊記，我們要知道申報的責任。我現在把股權dilute到0.01%，已經沒有需要申報，要有50%或以上才需要申報。我不知道土地是否需要申報，我不知道，其實應該是不用的。

**主席**：易志明議員，還有沒有.....

**易志明議員**：何議員承認了自己的一些錯誤。當然，你說得對，你絕對有權在任何一些機構當中擔任任何職位或持有股份，你只要申報便可以了，這是很清楚的。我沒甚麼再問，不過我回答不到我自己心裏的疑問。

**主席**：好，大家還有沒有提問。

**何俊仁議員**：我總不想因為自己犯一次錯，便甚麼也不敢去做，而有時候，這些是很簡單的東西，替別人做少許事情，尤其是自己的家人，我不想因為自己，因為有少許的 —— 今次惹來這樣的麻煩，於是對我的兄弟姊妹說"你不要再搞我，東西全交回給你"，我做人的態度不是這樣的，其實是自己小心一點已經OK。

**主席**：大家還有沒有其他問題需要再向何議員提問？如果沒有，我要多謝何議員出席今天的會面。正如剛才所說，希望大家不要向外界透露我們今天的討論內容。當然，我們會把最後的討論結果進一步告知何議員，因為有關的逐字紀錄也要委員的最後確認，亦要得到何議員的確認。多謝何議員。

**何俊仁議員**：OK。

(會面於上午9時34分結束)