

**A Guide for Reimbursement
of Operating Expenses
for Members of the Legislative Council**

Table of Contents

	<u>Paragraph</u>	
Introduction	1 - 6	Jan 2022
Guiding Principles	7 - 12	
 Office Operation Expenses Reimbursement		
Amount	13	Oct 2023
Claimable Items	14	Jan 2022
Employment of Staff	15 - 23	
Use of Consultancy Service	24 - 25	
Expenses on Publicity Items	26	Jan 2022
Expenses on Activities	27	May 2016
Office Accommodation Expenses	28 - 33	
Claim Form	34	
 Entertainment and Travelling Expenses Reimbursement		
Amount	35	Oct 2023
Claimable Items	36 - 41	
Claim Form	42	
 Postage	 43	
 Setting Up and Information Technology Expenses Reimbursement		
Amount and Conditions	44	Oct 2016
Claimable Items	45	Jan 2022
Claim Form	46	Oct 2012
 Winding Up Expenses Reimbursement		
Scope	47 - 48	
Amount and Conditions	49 - 54	Oct 2023
Claim Forms	55 - 56	
	/Cont'd

General Principles

Procurement	57 - 58	Jan 2011
Supporting Documents		
Documents Pertinent to Reimbursement	59 - 61	Jan 2022
Receipts	62	
Purchases Not Made in the Name of the Member or Member's Office	63	Jun 2022
Particulars to be Provided on Supporting Documents	64	
Provision of Samples of Publications and Publicity Items	65	Jan 2022
Public Inspection	66	
Time of Expenditure	67 - 68	Oct 2012
Funds Set Aside	69 - 70	
Minimization of Financial Commitments	71	Oct 2012
Capital Items	72 - 76	Jan 2022
Return or Purchase of Capital Items	77	
Shared Expenses	78 - 81	Jan 2022
Payment to Members Arising from Situations, Activities or Assets for which Expenses have been Reimbursed	82 - 83	Jan 2022
Time Limits for Making Reimbursement Claims		
Office Operation Expenses, Entertainment and Travelling Expenses, Postage, and Setting Up and Information Technology Expenses .	84	Jan 2022
Winding Up Expenses	85	Oct 2012
Appeal	86	
Non-reimbursable Items.....	87	May 2016
Adjustments	88	
Compliance Audit	89	Jan 2022
Advance of Operating Funds		
Scope	90	
Amounts and Conditions	91 - 93	Oct 2023
Application Form	94	
Reporting of Unreimbursed Expenses	95 - 96	

...../Cont'd

Appendix

Claimable items	I	Jan 2022
Employment contract (sample)	II	Jan 2022
Code of conduct for staff employed by Legislative Council Members	III	Jan 2022
Definition of 'relative'	IV	

Form

Claim for reimbursement of office operation expenses/entertainment and travelling expenses	A	Jun 2022
[Omitted as spent]	A1	Jan 2022
Office operation expenses/entertainment and travelling expenses not reimbursed to Members of the Legislative Council	A2	Jun 2022
Claim for postage	B	
Claim for reimbursement of setting up and information technology expenses	C	Jun 2022
[Omitted as spent]	D	Oct 2012
Claim for reimbursement of winding up expenses	E	Jun 2022
Direct settlement of winding up expenses by the Legislative Council Secretariat	F	Jan 2022
Employment benefits: payment and refund of funds set aside	G	Jan 2022
Notification of upgrading, replacement or sale of capital assets	H	Jan 2022
Capital items list	I	Oct 2022
Return of capital items acquired with Members' reimbursements	J	Oct 2022

...../Cont'd

Purchase of capital items acquired with Members' reimbursements	K	May 2016
Application for operating funds	L	Oct 2017

Declaration Form

Recruitment of staff	DF I	Sept 2012
Leasing of office accommodation from a business associate or affiliated organization	DF II	
Sharing of office accommodation.....	DF III	
Declaration of procurement involving conflict of interest situations	DF IV(a)	Jan 2011
Procurement exceeding \$20,000	DF IV(b)	Jan 2011

A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council

Introduction

A Member of the Legislative Council ("LegCo") is provided with reimbursements to cover expenses arising out of his/her LegCo duties. Different reimbursable amounts and conditions are applicable to different types of expenses. They are detailed in the paragraphs indicated below —

- (a) office operation (paragraphs 13 - 34);
- (b) entertainment and travelling (paragraphs 35 - 42);
- (c) postage (paragraph 43);
- (d) setting up and information technology (paragraphs 44 - 46); and
- (e) winding up (paragraphs 47 - 56).

2. A Member may claim reimbursement of expenses relating to LegCo business. "LegCo business" refers to activities relating to the exercising of the powers and functions of LegCo as stipulated in Article 73 of the Basic Law, general policy issues as well as matters which have been raised or discussed at meetings of LegCo and/or its committees. The guiding principles which should be observed by Members in claiming reimbursement of expenses are set out in paragraphs 7 to 12. General principles of the reimbursement system and the mechanism for adjustment of the reimbursable amounts are detailed in paragraphs 57 to 87 and paragraph 88 respectively.

Jan 2022

3. Annual compliance audits are conducted (paragraph 89).

Jan 2022

4. A Member may apply for advance of operating funds to finance those expenses classified under (a), (b) and (d) in paragraph 1 above. The detailed procedures are set out in paragraphs 90 to 94.

Jan 2022

5. A Member may report unreimbursed expenses to the Secretariat for tax deduction purposes and as an indication to the Administration the total financial resources required in carrying out his/her LegCo duties. Further details are set out in paragraphs 95 and 96.

Jan 2022

6. A Member may claim office operation expenses and setting up expenses incurred or paid in the period from the date election result is announced to the date before the start of the new LegCo term out of the reimbursable amounts set out in paragraphs 13 (under office operation expenses reimbursement for the 2022 reimbursement year) and 44 (under setting up and information technology expenses reimbursement for the Seventh LegCo), using **Form A** and **Form C** respectively.

Jan 2022

Guiding Principles

7. A Member or his/her relatives (see Appendix IV) must not have any direct or indirect financial interest in, or be able to derive any financial benefits from, any transaction in respect of which reimbursement is claimed.
8. A Member should refrain from claiming reimbursement for any transaction from which he himself/she herself, his/her relatives or business associates may be perceived to have benefited.
9. A Member should use public funds in an open, fair and accountable manner.
10. If a conflict of interest cannot be avoided or has arisen, a Member, when applying for reimbursement, should make a declaration of his/her interest which will be made available for public inspection.
11. Should there be a transaction in respect of which reimbursement is claimed or may be claimed, and there is a perceived conflict of interest, or the transaction has become a matter of public concern, the Member should take steps to resolve the conflict in favour of the public interest.
12. A Member should separate his/her private and LegCo operations/interests as far as possible, and be seen to be doing so to avoid any perception of conflict of interest or wrongful personal benefit.

Office Operation Expenses Reimbursement

Amount

13. Each year a Member is provided with **\$2,932,080** for reimbursement of office operation expenses on an accountable basis (i.e. invoices and receipts or other evidence of payment should be provided as supporting documents when applying for reimbursement). Any unused balances can be carried forward for use until the end of the current LegCo term.

Oct 2023

Claimable Items

14. Items of reimbursable expenses are as follows —

- (a) staff expenses, including —
 - (i) staff remuneration (i.e. salaries, leave pay, gratuities, bonuses, provident fund contributions and other employment-related allowances),
 - (ii) medical benefits,
 - (iii) insurance payments,
(Note : Employers are statutorily required to provide coverage for employee compensation.)
 - (iv) statutory payments,
 - (v) recruitment expenses, and
 - (vi) training expenses;
- (b) equipment and furniture — normally claimable items are detailed in ***section A of Appendix I***; Jan 2022
- (c) stationery;
- (d) periodicals, newspapers and publications;
- (e) printing (e.g. business cards, newsletters on LegCo business);
- (f) website expenses;
- (g) consultancy service;
- (h) communication charges (including postage for bulk mailing, Internet, telephone and fax charges);
- (i) publicity items;
- (j) activities;
- (k) repair and maintenance of equipment and furniture;
- (l) office insurance (e.g. insurance against public liabilities, theft, fire and other perils); and
- (m) office accommodation expenses (including rentals, rates, government rents, management fees, and utility charges).

Further guidelines on the office operation expenses reimbursement are provided in paragraphs 15 to 33 below.

Employment of Staff

15. A Member should recruit his/her staff based on merit and preferably by open recruitment, declare any conflict of interest, and ensure that the total remuneration offered is reasonable and commensurate with the appointee's abilities. The selection process and decision should be documented in **Declaration Form I**. To enhance transparency, the Form should be submitted to the LegCo Secretariat ("Secretariat") when reimbursement for the new recruit's remuneration is claimed for the first time.

16. A Member must be directly responsible for the employment of his/her own staff. While he/she may offer employment individually, he/she may also offer employment jointly with other Members, provided their respective responsibility to the employee is clearly stated in the employment contract concerned. In either case, the job descriptions must be specified in the employment contract.

17. Intermingling of LegCo and non-LegCo business in the duties of a staff member should be avoided as far as practicable. If LegCo and non-LegCo business cannot be clearly separated and accounted for, the following arrangements should be adopted:

- (a) declare in the employment contract whether the staff member is also in the employ of the Member's business or in the employ of the Member's relatives, business associates or affiliated organizations (including but not limited to the Member's employer, political party and constituency association), and the capacity in which this staff member is to be employed at the Member's office;
- (b) detail the duties involved and the percentage of work that is related to LegCo business;
- (c) make available a copy of the employment contract for public inspection (personal identifiers and data may be blocked out if necessary); and
- (d) certify when submitting the reimbursement claim (Form A) that the staff member has performed the duties as detailed in the employment contract.

18. An employment contract may be a continuous contract, with no fixed termination date but with clauses on termination arrangements. If it is a fixed-term contract, the length of the contract should not extend beyond one month after the end of the LegCo term, and provisions for early termination should be included.

19. The names and salaries of staff must be provided in the Member's claim for reimbursement, and the claim is made available for public inspection. A copy of the employment contract must also be submitted to the Secretariat, but it is not for public inspection unless it is for fulfillment of the requirement under paragraph 17(c) above. If a staff member's Hong Kong identity card number is not shown on the employment contract, it should be supplied separately to the Secretariat in writing. A sample employment contract for Members' reference is in **Appendix II**. Furthermore, since the work of a Member's staff is closely related to the duties of the Member, a code of conduct for the staff's observance should be incorporated in the employment contract. A code of conduct, as recommended by the Independent Commission Against Corruption, is in **Appendix III**.

20. A Member is not allowed to employ his/her relatives as staff. The definition of "relative" is in **Appendix IV**.

21. Employment of staff in the name of a company is not allowed.

22. For reimbursement of advertising expenses related to staff recruitment, a copy of the recruitment advertisement must accompany the reimbursement claim for advertising expenses. The recruitment advertisement should indicate that the staff is to assist a Member in LegCo business.

23. Employment of part-time and temporary staff is subject to the same conditions as set out in paragraphs 15 to 22 above. If the staff member concerned is not qualified for enrolment with a mandatory provident fund scheme (other than for age reasons), no submission of Declaration Form I is required. In respect of a temporary employee who is employed and paid for no more than a day each time, provision of a copy of his/her employment contract to the Secretariat is not mandatory, so long as the employee's name, Hong Kong identity card number and a brief description of the work performed (e.g. the date, time, place and nature of work) are provided and confirmed by the signature of the employee.

Use of Consultancy Service

24. A Member may engage a consultant, on a regular or ad hoc basis, to assist him/her in LegCo business, such as undertaking research and preparing speeches. To avoid conflict of interest, the use of consultancy service is subject to the following —

- (a) the Member should enter into an individual contract with the consultant he/she employs;
- (b) the contract should specify clearly the scope of the services provided;

- (c) the name of the consultant and the costs of the consultancy should be included in the reimbursement claims and made available for public inspection;
- (d) a copy of the contract should be submitted to the Secretariat (it will not be available for public inspection);
- (e) the Member or his/her relatives should not have any interests in the consultant employed; and
- (f) the Member should not engage as his/her consultant his/her political party or any company/organization which his/her political party has a financial interest in or control of.

25. As a consultancy contract is not available for public inspection, the precise nature and scope of the consultancy work should be disclosed on the invoices submitted for reimbursement.

Expenses on Publicity Items

26. A Member may claim the office operation expenses reimbursement on publicity items (i.e. items publicizing his/her website, social websites, email addresses, and the addresses, telephone numbers, fax numbers, office hours and appointment arrangements of his/her offices) for the purpose of conducting LegCo business. No publicity relating to a political party is allowed, except the name and logo of the political party to which the Member belongs. Items normally claimable are set out in **section B of Appendix I**. Jan 2022

Expenses on Activities

27. A Member may use the office operation expenses reimbursement to pay for the publicity and organization of activities relating to LegCo business. Items normally claimable are detailed in **section C of Appendix I**. May 2016

Office Accommodation Expenses

28. A copy of the tenancy agreement for each leased office should be submitted to the Secretariat for public inspection.

29. A Member must not claim reimbursement for any lease of office accommodation in which he/she or his/her relatives have any financial interest.

30. A Member should avoid leasing his/her district office from his/her business associates (including but not limited to a director of a company in which the Member holds directorship, a supplier or a customer) or affiliated organizations (including but not limited to the Member's employer, company in which the Member holds directorship, political party and constituency association) as far as practicable.

31. Should a Member consider it appropriate to lease office accommodation from the parties mentioned in paragraph 30 above, having regard to his/her constituents' interest or the public interest, the Member must disclose his/her relationship with the landlord, provide justifications for leasing the property and obtain independent valuation of the market rental from a qualified property valuer. **Declaration Form II** should be submitted for this purpose when reimbursement for the rental concerned is claimed for the first time.

32. If a Member shares office accommodation with another person who is not using the office for LegCo business, a layout plan with measurements delineating the areas used by the respective occupants and the common areas of the office should be submitted to the Secretariat. The reimbursable rental should normally be in proportion to the area used, unless some other justifiable factors exist. **Declaration Form III** should be submitted for this purpose when reimbursement for the rental concerned is claimed for the first time.

33. If a district office is used partly by a Member in his/her other capacities for business which is not purely LegCo-related, requirements under paragraph 32 above, as well as other relevant parts of this Guide, also apply.

Claim Form

34. **Form A** should be used for claiming the office operation expenses reimbursement.

Entertainment and Travelling Expenses Reimbursement

Amount

35. Up to **\$234,180** a year can be reimbursed on a non-accountable basis except for the portion used to meet staff expenses as explained in paragraph 41 below. Any unused balances of one year cannot be used for reimbursement of expenses of another year.

Oct 2023

Claimable Items

36. Entertainment, liaison or travelling expenses incurred by a Member or his/her staff in or outside Hong Kong for LegCo business may be reimbursed against claims certified by the Member without supporting documents.

37. Although no supporting documents such as receipts have to be submitted, Members should only claim what they have actually expended.

38. Entertainment expenses refer to expenses for the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

39. Liaison expenses include expenses on —

- (a) floral arrangements and wreaths sent on ceremonial occasions;
- (b) functions organized by the Secretariat on LegCo premises for liaison with persons other than LegCo Members; and
- (c) compliments advertised in publications.

40. Travelling expenses refer to —

- (a) local travelling and vehicle running expenses; and
- (b) travelling and accommodation expenses outside Hong Kong.

41. A Member may use up to 50% of the amount for entertainment and travelling expenses reimbursement set out in paragraph 35 above to meet staff expenses on an accountable basis. Future associated severance payments may be reimbursed out of the office operation expenses reimbursement and winding up expenses reimbursement.

Claim Form

42. **Form A** should be used for claiming the entertainment and travelling expenses reimbursement.

Postage

43. As pointed out in paragraph 14(h) above, reimbursement for postage expenses may be claimed under a Member's office operation expenses reimbursement. Apart from this, an alternative way of claiming reimbursement for postage expenses incurred by a Member on correspondence related to LegCo business, except bulk mailing, is to submit a claim for such reimbursement from the Secretariat's own operational expenses account. For such claims, **Form B** should be submitted together with Form A; and copies of the correspondence should be kept for audit purposes.

Setting Up and Information Technology Expenses Reimbursement

Oct 2012

Amounts and Conditions

44. A Member is eligible for expenses reimbursement of up to **\$375,000** in a term for setting up his/her offices, including the one provided by the Secretariat, and for the purchase and use of information technology and communication equipment. However, a Member who has claimed any setting up expenses reimbursement in the previous term may only claim up to **\$262,500** in the current term for the purposes of renovation, removal, expansion and/or setting up of additional offices and for the addition or replacement of equipment and furniture. If the Member has to close down an existing district office to set up a new one owing to the expiry of tenancy agreement or other valid reasons, he/she may claim up to **\$375,000** (instead of \$262,500) in the current term.

Oct 2016

Claimable Items

45. Items claimable under the setting up and information technology expenses reimbursement are separated into two components for reasons stated in the preceding paragraph —

- (a) Setting up component
 - (i) fitting-out,
 - (ii) capital items (equipment and furniture other than information technology or communication equipment),
 - (iii) basic stationery items (up to \$2,000 for new offices only), and
 - (iv) other associated expenses, including fixtures, installation charges, as well as minor tools, furniture and equipment below \$3,000 each, and charges for operation, repair and maintenance of fixed assets; and
 - (b) Information technology component
 - (i) capital items (limited to information technology and communication equipment), and
 - (ii) expenses incurred on operation and maintenance of information technology and communication equipment, including licence fees for software; consultancy fees and staff training costs for setting up and updating websites; charges for using web hosting and anti-virus protection services; repair charges; and telephone charges.
- Oct 2016

Items normally claimable set out in **section A of Appendix I** are applicable to the equipment and furniture items in (a)(ii), (a)(iv) and (b) above.

Jan 2022

Claim Form

46. **Form C** should be used for claiming the setting up and information technology expenses reimbursement.

Oct 2012

Winding Up Expenses Reimbursement

Scope

47. Winding up expenses reimbursement is claimable when a Member ceases to be a Member of LegCo, either because he/she chooses not to stand for re-election or for reasons over which he/she has no control such as death, serious injury, defeat in an election or the dissolution of LegCo.

48. A Member who resigns or who is removed from LegCo under Article 79(6) of the Basic Law^(Note) is not eligible for the winding up expenses reimbursement.

(Note) "When he or she [a Legislative Council Member] is convicted and sentenced to imprisonment for one month or more for a criminal offence committed within or outside the [Hong Kong Special Administrative]Region and is relieved of his or her duties by a motion passed by two-thirds of the members of the Legislative Council present;"—Article 79(6) of the Basic Law

Amount and Conditions

49. The reimbursement consists of two components —

- (a) an amount not exceeding one-twelfth of the annual office operation expenses reimbursement (i.e. **\$244,340**), of which \$10,000 may be claimed against certified claims of expenses without supporting documents, to cover all expenses other than severance payments; and
- (b) an amount with no pre-set ceiling to cover the actual severance payments made in accordance with the provisions of the Employment Ordinance to staff employed using the office operation expenses reimbursement and to staff employed using up to 50% of the entertainment and travelling expenses reimbursement.

Oct 2023

50. The component referred to in paragraph 49(a) (i.e. \$244,340) may also be used to meet contractual liabilities arising from the premature termination of agreements before the end of a LegCo term for reasons beyond a Member's control. The liabilities include —

Oct 2023

- (a) payment in lieu of notice; and
- (b) compensation to the landlord of a district office financed by the office operation expenses reimbursement, provided that the Member has informed the landlord as early as possible of his/her intention to terminate the tenancy agreement prematurely, so as to enable the landlord to identify new tenants and reduce as far as possible the Member's contractual liabilities.

51. Notwithstanding paragraph 49(b), the amount with no pre-set ceiling may also be used to compensate a Member's staff employed by him/her for less than two years. The payment should be calculated on a pro rata basis with reference to the calculation method stipulated by the Employment Ordinance for severance payments.

52. A severance payment is reimbursable only if the termination of employment is made and the payment is settled not later than one month from the date a Member ceases office.

53. During the winding up period, non-essential services should be curtailed as early as possible and acquisition of stores should be limited to quantities which are essential for the winding up. To limit the reimbursable amount for payment in lieu of notice to a reasonable level, a Member should serve notice for termination of employment to his/her staff as soon as possible and in no event later than seven days after the date of his/her cessation of office is known to him/her. Moreover, expenses for on-going services (including staff support) for any period beyond one month after the cessation of office will not be reimbursed.

54. All winding up expenses should be consolidated in one claim, which should be made within the time limit as set out in paragraph 85.

Jan 2022

Claim Forms

55. **Form E** should be used for claiming the winding up expenses reimbursement.

56. Alternatively, Members may request the Secretariat to settle the following expenses directly with the recipients, by using **Form F** —

- (a) staff salaries,
- (b) office rentals,
- (c) consultancy fees,
- (d) compensations for early termination of contracts, and
- (e) severance payments.

General Principles

Procurement

57. A Member or his/her staff should not engage a supplier or service provider whose business he/she or any of his/her relatives has a financial interest in or control of. Neither should a Member nor his/her staff, nor any of the relatives of a Member or his/her staff, derive or be able to derive any financial benefits from any transaction for which reimbursement of expenses is claimed. If this cannot be avoided, the Member should obtain at least three quotations for price and performance comparison (whenever practicable), declare interest and document the justifications for doing so (e.g. sole supplier, more competitive price from bulk purchase), using **Declaration Form IV(a)**. Where a conflict of interest situation as referred to in the Code of Conduct for Staff Employed by Legislative Council Members (Appendix III) has come to the knowledge of a Member, the Member should not allow the staff member concerned to continue to deal with the procurement. The Member should reassign the task to another staff member. If no reassignment is arranged, the Member must provide written explanation to justify that the most cost-effective procurement procedures have been adopted.

Jan 2011

58. For procurement of goods or services above \$20,000, including a contract commitment or renewal of insurance policy costing more than \$20,000, Members should obtain at least three quotations for price and performance comparison, unless a similar quotation exercise was performed within the last three months. These quotations should be in written form whenever practicable. **Declaration Form IV(b)** should be submitted when reimbursement is claimed.

Jan 2011

Supporting Documents

Documents Pertinent to Reimbursement

59. Save for the reporting of unreimbursed expenses set out in paragraphs 95 and 96 below, a Member should only submit supporting documents for the claimable amount under an accountable reimbursement. In the event that a Member submits supporting documents for amounts in excess of the claimable ceilings, the supporting documents will be returned to the Member for a decision on which items of expenditure he/she wishes to claim partially.

Jan 2022

60. Supporting documents such as invoices, receipts, etc, must be submitted to the Secretariat when claiming reimbursement for any accountable expenses. Jan 2022

61. In case an expense is shared by two or more parties, the Member who first submits the claim should certify the amount shared by each party; other Member(s) should substantiate his/her claim by providing the expenses summary which carries the certification of the Member who first submits the claim. Jan 2022

Receipts

62. For any payment not substantiated by a receipt, a Member should include the following statement on the supporting document: "Receipt is not available and I certify that payment was made on (date)." If a periodic payment is not substantiated by a receipt but reflected in the payment request of the next payment period, a copy of the request should be submitted to substantiate the payment.

Purchases Not Made in the Name of the Member or the Member's Office

63. Unless practically infeasible, invoices and receipts should be addressed to the Member or the Member's Office. For purchases which are billed to a staff member of a Member or a third party, the Member concerned should have paid the suppliers/service providers, or reimbursed the person who have made payments on his/her behalf before submitting claims for reimbursement. Jun 2022

Particulars to be Provided on Supporting Documents

64. Supporting documents for reimbursement of expenses over \$3,500 must bear the name and address of the supplier, date of purchase and full description of the item concerned. To withhold the address or any other personal data of a supplier (who is an individual) from public inspection, a Member may provide them separately in writing to the Secretariat.

Provision of Samples of Publications and Publicity Items

65. In making claims for bulk printing expenses, a sample of the printed material must be submitted to the Secretariat, together with the reimbursement claims. In the case of a signboard, hoarding or banner, a picture or a copy of the artwork should be provided. These samples will be used for determining the extent to which the related expenses could be claimed. For example, expenses for promoting a recreational activity or a non-LegCo-related organization should not be claimed. Publications and publicity items containing any commercial content will not be reimbursable.

Jan 2022

Public Inspection

66. All claim forms, declaration forms and supporting documents, except employment contracts (unless paragraph 17(c) above applies), consultancy agreements and separately provided addresses and Hong Kong identity card numbers of staff and suppliers (who are individuals), are available for inspection or photocopying by the public. In this connection, Members are reminded to obtain the consent of their staff and suppliers for their identity, invoices, receipts and other related documents to be made available to the public. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

Time of Expenditure

67. Claimable expenditure is deemed to be expended at the time payment is made by the Member or his/her staff. Credit card expenditure is deemed to be expended at the time a credit card slip or an order form is signed. Any unclaimed entertainment and travelling expenses reimbursement of one year **cannot** be used for reimbursement of expenses of another year.

Oct 2012

68. In respect of term payments covering a period of time beyond the current year, a Member may either claim full reimbursement in the year of payment, or spread his/her claim over the current and subsequent years to which the term payments relate. If the period covered by such term payments extends beyond the term of office of a Member, reimbursement will be limited to the period up to one month after his/her term of office. In case the Member is re-elected, the prepaid unreimbursed portion may be reimbursed according to the guidelines in force at the time.

Funds Set Aside

69. A Member may set aside funds from his/her office operation expenses reimbursement to pay for staff benefits such as contract bonus, double-pay or end-of-agreement gratuity, which are payable at a future date. The funds set aside should be based on, and not exceed, the Member's contractual and other legal obligations towards his/her staff. The funds will be paid to the Member without supporting documents.

70. Upon actual payment of the funds set aside and/or departure of any staff member, **Form G** should be presented to the Secretariat, together with any excess funds and receipts or other supporting documents. Excess funds set aside in previous years cannot be used to reimburse expenses other than those referred to in paragraph 69 and incurred in the year when the funds were set aside.

Minimization of Financial Commitments

71. Funds available from future operating expenses reimbursements may be curtailed for various reasons, such as early dissolution of LegCo, early cessation of office and downward revision of reimbursable amounts according to the change in CPI(C). To reduce the possibility of not getting full reimbursement, a Member should minimize his/her financial commitments. For example, a Member should make every effort to negotiate with his/her landlords to insert a break clause in his/her tenancy agreements. Also, any commitment extending beyond one month after the Member's term of office should be avoided, because reimbursement for these expenses, such as the rent related to the following LegCo term, is contingent upon the re-election of the Member.

Oct 2012

Capital Items

72. A capital item refers to any piece of equipment or furniture costing \$3,000 or more and with a life span of over one year, but excluding software and fixtures such as built-in cabinets and wall-mounted air-conditioners. Installation charges should not be capitalized.

Oct 2016

73. When a Member ceases office, he/she is required to return to the Secretariat those capital items for which reimbursement of expenses has been claimed. Before returning an item to the Secretariat, the Member must settle all outstanding payment and liability in respect of the item. Outgoing, returning or incoming Members may purchase these capital items at depreciated value as determined by the Secretariat or 5% of their original value, whichever is the higher. An outgoing Member has the first option to purchase his/her capital items, but he/she has no right to purchase capital items returned by other Members. In the event that a capital item was not fully reimbursed, the value payable by the outgoing Member is discounted by the proportion of acquisition price borne by him/her personally.

May 2016

74. For ease of valuation at the time when a Member ceases office, full description of capital items and prices of the constituent parts should as far as possible be provided at the time reimbursement of procurement expenses is claimed. Any upgrading or replacement should be detailed in **Form H** when claiming the relevant expenses.

75. In respect of every capital item reimbursed, the Secretariat will issue an asset label, with an asset number assigned, to the Member concerned. The label should be stuck on the capital item concerned for identification purposes.

76. A Member is required to forward an inventory list of capital items in December using **Form I**, showing the position as at the end of September. The inventory list should be verified by a physical count before submission to the Secretariat.

Jan 2022

Return or Purchase of Capital Items

77. When he/she ceases office, a Member should use **Forms J** and **K** to notify the Secretariat of the capital items that he/she will return or purchase. **Form J** may also be used to notify the Secretariat in case surplus capital items have to be returned.

Shared Expenses

78. Only expenses (e.g. sharing of telephone lines, computer systems, photocopiers and electricity) that are individually identifiable, clearly separable from private purposes and wholly attributable to LegCo business may be claimed.

79. Subject to paragraph 81 below, if an expense referred to in paragraph 78 above is incurred jointly with other parties or in a Member's other capacities, the Member must certify that the amount claimed is no more than the fair portion related to LegCo business and it has not been or will not be reimbursed from any other sources. The basis of sharing should be indicated. Jan 2022

80. In case a Member shares his/her office with another person, rental and other expenses should be shared proportionally on a consistent basis from month to month. An agreement on the proportional responsibility for items shared should be signed by the parties concerned and the Secretariat notified of any changes.

81. A Member may only share the procurement expenses of a capital item with another Member or other Members. The Members concerned (i.e. the group) should sign an undertaking agreeing to the following disposal arrangements when any Member of the group ceases office —

- (a) If an outgoing Member of the group wishes to purchase the item, he/she will seek the agreement of other Members of the group and pay to the Secretariat the depreciated value or 5% of the original value of the item, whichever is the higher. May 2016
- (b) If re-elected or remaining Member(s) of the group wish(es) to retain the item for use in relation to LegCo business, the Member(s) will seek the agreement of the outgoing Member(s) of the group and pay to the Secretariat an amount equivalent to the outgoing Member(s)' share of the item at depreciated value or 5% of its original value, whichever is the higher. May 2016
- (c) If Members of the group fail to reach an agreement regarding the disposal of the item within two months, the Secretariat may take possession of the item in question without payment.

Payment to Members Arising from Situations, Activities or Assets for which Expenses have been Reimbursed

82. There may be circumstances where a Member receives payment arising from situations, activities or assets for which expenses have been reimbursed (e.g. compensation in respect of an employee's work-related accident or other types of insurance coverage; salary in lieu of notice paid by an employee who has resigned; or sale proceeds from the disposal of a capital item). The Member is required to use the payment on LegCo business. A separate account giving details of the payment received and subsequent usage of the payment, with supporting documents, must be submitted to the Secretariat. Otherwise, the payment must be returned to the Secretariat.

83. The payment returned to the Secretariat under paragraph 82 will increase the reimbursable balance of the corresponding expenses reimbursement by the same amount. In the case of entertainment and travelling expenses reimbursement, the Member may use the increased balance on LegCo business in the same reimbursement year.

Jan 2022

Time Limits for Making Reimbursement Claims

Office Operation Expenses, Entertainment and Travelling Expenses, Postage, and Setting Up and Information Technology Expenses

84. Except for winding up expenses reimbursements, reimbursement claims should be submitted within **three months** from the month of expenditure. However, if an advance of operating funds is obtained pursuant to paragraph 91(b) below for setting up and information technology expenses, the relevant supporting documents must be submitted together with Form C within three months from the date of advance.

Jan 2022

Winding Up Expenses

85. A Member may start winding up his/her office before the end of the LegCo Term. In respect of the consolidated claim for winding up expenses made according to paragraph 54 above, the first payment and the last payment should not be more than **six months** apart and reimbursement should be sought within **three months** from the date of the last payment.

Oct 2012

Appeal

86. Any Member whose claims are not made in accordance with the stipulated time limits may be required to give an explanation to the Committee on Members' Operating Expenses, which will determine whether the claims should be processed.

Non-reimbursable Items

87. Examples of non-reimbursable items are given as follows :

- (a) refundable deposits;
- (b)
 - (i) penalties; and
 - (ii) charges incurred as a result of an act ruled by the LegCo President as inappropriate; Oct 2012
- (c) entertainment expenses solely for the Member himself/herself, his/her staff, other Members and/or their staff, unless specifically allowed by The Legislative Council Commission;
- (d) cooking utensils and appliances (other than kettle, distilled water dispenser, refrigerator, microwave oven and steamer cookware); Oct 2012
- (e) decorative items for Member's Office such as paintings, photo frames and flowers;
- (f) perishable publicity items (such as food, beverages or flowers); May 2016
- (g) publicity items having resale value (other than those of little or no resale value, such as pens) or containing commercial content; May 2016
- (h) training of personal skills for the Member himself/herself; and
- (i) sponsorship.

Adjustments

88. Reimbursement ceilings for office operation expenses, entertainment and travelling expenses and winding up expenses are subject to annual adjustment in October, in accordance with the movement of Consumer Price Index (C).

Compliance Audit

89. Members' reimbursement claims are subject to compliance audit annually. In this regard, Members are required to provide assistance when field audits are carried out, such as provision of records, explanations and justifications. For this purpose, records, including all originals of supporting documents, should be kept for at least two years.

Jan 2022

Advance of Operating Funds

Scope

90. Members may obtain advance of operating funds to finance their office operation, entertainment and travelling expenses, as well as setting up and information technology expenses.

Amounts and Conditions

91. The ceilings for advances are :

- (a) office operation expenses plus entertainment and travelling expenses — amount equivalent to two months' reimbursable amount (i.e. \$527,710); and
- (b) setting up and information technology expenses — entitlement as stipulated in paragraph 44 (i.e. \$262,500 or \$375,000), less any reimbursement already claimed.

Oct 2023

Oct 2016

92. The operating funds advanced for office operation, entertainment and travelling expenses will be used to offset the reimbursable expenses of the month immediately before a Member ceases office and any reimbursable winding up expenses. A Member who has obtained operating funds for setting up his/her offices or for the procurement of information technology and communication equipment must submit relevant supporting documents within three months from the date of advance.

93. Any funds advanced in excess of requirement should be returned to The Legislative Council Commission as soon as they are known to the Member.

Application Form

94. **Form L** should be used to apply for any advance or increase in advance up to the specified ceilings.

Reporting of Unreimbursed Expenses

95. Operating expenses fulfilling the reimbursement criteria in this Guide but not reimbursed may be reported to the Secretariat for deduction of the salaries tax of the Member concerned, provided that such expenses are substantiated by documentary evidence. Information on all unreimbursed expenses, including expenses which have exceeded the reimbursement ceiling and expenses unclaimed by Members, may also serve as an indication to the Administration the total financial resources required by Members in carrying out their LegCo duties.

96. For reporting unreimbursed expenses, **Form A2** should be used. In respect of expenses that could have been claimed under office operation expenses reimbursement, the invoices and receipts concerned should be certified by the Member concerned and marked as "not claimed". All Form A2s and supporting documents provided are retained by the Secretariat. Copies of them are also made available at the LegCo Library for public inspection, and sent together with other claim documents to the Administration for information.

* * * * *

Legislative Council Secretariat

CLAIMABLE ITEMS

Procurement of the following items may be reimbursed.

Section A

<i>EQUIPMENT AND FURNITURE</i>	
	Photocopying machine and accessories -paper feeder -document sorter Cheque writer Franking machine Paper shredder Folding machine * Overhead projector * Projector screen Document binder Document duplicator/Speed printing machine Safe Laminator Water purifier Dehumidifier Sound system with microphones and loudspeakers Vacuum cleaner Water dispenser Refrigerator Microwave oven/Steamer cookware Conference table * Video conferencing equipment (including ancillary video cameras and other accessories) * Hand-held video camera * Closed circuit television surveillance system * Computer server and related accessories
	First aid kit Television set VCD/DVD player/recorder * Scanner
* * *	Camera (digital and otherwise) Lighting equipment for filming Walkie-talkie Sofa Electronic display
	Electric fan Air-cooler Air-conditioner Loudhailer White board
* * * *	Printer Mobile phone Digital recorder Tablet/Integrated mobile computing device/Portable digital assistant
*	Telephone set
*	Facsimile machine

* Items that may be reimbursed with the information technology component of the setting up and information technology expenses reimbursement

* Computer hardware and accompanying software
* Monitor
Computer table and rack
Fire extinguisher
File cabinet
Chair
Desk/Folding table/Work bench

Section B

<i>PUBLICITY ITEMS</i>
Signboard/Light box with <ul style="list-style-type: none"> - name - address of the Member's office - telephone and fax numbers of the Member's office - office hours - website and email addresses to be placed in the same building of the Member's office
Invitation card for each activity
Display board/banner with <ul style="list-style-type: none"> - name - address of the Member's office - telephone and fax numbers of the Member's office - office hours - website and email addresses

Section C

<i>ACTIVITIES</i>	<i>CLAIMABLE ITEMS</i>
Seminar Press conference Exhibition Quiz Competition Office opening ceremony	Rent of venue Hire of extra staff Banners Display boards Hire of sound system Set up charges Cleaning up charges Transportation for attendance and equipment Printing of handouts Printing of admission tickets Printing of leaflets Hire of video display equipment Advertisements Invitation cards Souvenirs with little or no resaleable value
Survey Signature collection campaign Questionnaire	Hire of extra staff Consultancy fees Printing charges Postage

Remarks : Recreational activities such as picnic, cruise and barbecue are not reimbursable.

(Sample)

EMPLOYMENT CONTRACT *(Note)***Acceptance of Offer of Appointment**

I, _____ (English name as per HKID Card)
 _____ (Chinese name as per HKID Card), (HKID Card No. _____)
 accept the appointment by Hon _____ to the post of
 _____ with Hon _____'s Legislative Council (LegCo) Member's
 Office on the following terms and conditions:

1. Job Description e.g. (i) community liaison activities, *or*
 (ii) research and information gathering, *or*
 (iii) secretarial/clerical work, and
 (iv) any other ancillary duties.
2. Commencement of Duty/
 Contract Period e.g. _____, 20 ____ / _____ to _____
 (date) (date)
3. Probation Period _____ months
4. Salary/Rate per Session/
 Hourly Rate e.g. HK\$_____ per month/HK\$_____ per 3-hour
 session/HK\$_____ per hour
5. Mandatory Provident Fund contributions from employer and employee will be made in
 accordance with the provisions of the Mandatory Provident
 Fund Schemes Ordinance (Cap. 485).
6. Normal Working Hours e.g. (i) Mondays to Fridays: 9:30 a.m. to 5:30 p.m.
 Saturdays: 9:30 a.m. to 1:00 p.m., *or*
 (ii) _____ hours per week.
7. Overtime e.g. (i) overtime allowance is payable at the rate of ____% of
 the monthly basic salary per hour, *or*
 (ii) time off in lieu of overtime allowance, subject to the
 exigencies of the workload of the office, *or*
 (iii) no recompense for overtime work except for work on
 rest days and statutory or general holidays; *and*
 (iv) any overtime on a statutory holiday or general holiday
 is to be compensated by one full day off within 60 days
 after the statutory holiday or general holiday; and
 (v) any overtime on a rest day is to be compensated by one
 full day off within 30 days after the rest day (even if the
 rest day also happens to be a statutory holiday or
 general holiday); and
 (vi) if the overtime on a rest day, statutory holiday or
 general holiday is in excess of the number of working
 hours in a normal working day, it is —
 (a) not recompensed, *or*
 (b) to be compensated by an overtime allowance on
 the basis stated in paragraph 7(i) above, *or* by time
 off in lieu on a one-for-one basis, subject to the
 exigencies of the workload of the office.

8. Double Pay
- e.g. (i) one month's basic salary, payable before the Chinese New Year, *or*
(ii) one month's basic salary, payable on the anniversary of every year's service, *or*
(iii) none.
9. Bonus
- e.g. (i) based on performance and availability of funds, a discretionary bonus may be awarded, *or*
(ii) none.
10. Gratuity
- e.g. (i) upon satisfactory completion of the contract on _____, _____% of the basic salary earned during the service period will be payable, *or*
(ii) none.
11. Inclement Weather
- if a special activity or event has been scheduled, contact the supervisor for instructions notwithstanding the general arrangements stated below.
- Tropical Cyclone Warning Signal no. 8 or above*
- e.g. need not report for duty while the Signal no. 8 is in force; not required to return to work if Signal no. 8 is lowered after _____
- Rainstorm Black Warning*
- e.g. if a Rainstorm Black Warning is issued before _____, need not report for duty while the Warning is in force; return to work as soon as the Warning is cancelled, provided that weather and transport conditions permit; not required to report for duty if the Warning is cancelled after _____; and
- if issued during office hours, stay in office for safety reasons; staff working outdoor should cease work and take shelter, resume work after the Warning is cancelled and weather conditions permit.
12. Annual Leave
- _____ working days.
(to be taken after one full year of service)
13. Medical Benefits
- e.g. (i) in accordance with current medical insurance available to staff of this comparable rank at this office,
(ii) not more than \$_____ a month, on the production of a medical practitioner's receipt, *or*
(iii) none.

14. Termination of Employment e.g. (i) subject to paragraph 14(ii) below, this employment may be terminated by giving _____ month's/months' notice or salary in lieu of notice;
(ii) this employment will end _____ days/weeks/month (*period not exceeding one month*) after Hon _____ ceases to be a Member of the Legislative Council.
15. Adjustment of Salary on performance basis, with reference to the inflation linked adjustment of Members' office operation expenses reimbursement as determined by the Legislative Council Secretariat.
16. Code of Conduct compliance with the attached Code of Conduct for Staff Employed by Legislative Council Members.
17. Confidentiality all information pertaining to the operation and business of Hon _____'s Legislative Council Member's Office that is in the employee's knowledge shall be kept confidential throughout and after his/her employment with Hon _____.
18. Disclosure it is agreed that a copy of this contract shall be submitted with the Legislative Council Secretariat and made available for public inspection. The Employee further agrees that all personal information contained in this contract or pertaining to this offer of appointment may be disclosed to the Secretariat for claiming reimbursement and for public inspection.

Signature of Employee

Date

I agree to employ the above-named person on the terms and conditions stated above, for supporting my work related to the business of the Legislative Council.

*** The appointee is also in the employ of my *business/relative/business associate/affiliated organization (please see paragraph 17(a) of the Reimbursement Guide, and specify the relationship with and the name of the third party)*. The remuneration offered by this appointment is based on the arrangement that not less than ____ % (or ____ hours) of the appointee's work is related to my LegCo duties.**

Signature of Member

Date

(Note) This sample is for reference only. Members may determine the appropriate terms for their staff, provided that they are not deprived of the protection under the Employment Ordinance.

** Paragraph to be excluded from the employment contract if inapplicable.*

CODE OF CONDUCT FOR STAFF EMPLOYED BY LEGISLATIVE COUNCIL MEMBERS

Aim

This Code aims at setting out the standard behaviour expected of Members' staff in the handling of resources and information obtained through their official capacity. Particular emphasis is placed on assisting Members' staff in avoiding potential conflict of interest situations and in upholding the high standard of conduct expected of them in carrying out their duties.

Conduct and Behaviour

Integrity

2. It is imperative that Members' staff are committed to the cardinal principles of honesty and integrity, and that their conduct and public behaviour would not bring discredit upon LegCo and the Member they serve. In particular, they should adhere to the principles of fairness, transparency and accountability when using the LegCo Members' Operating Expenses Reimbursements ("OER") for purchases.

Misuse of official position

3. Staff should not misuse their position as Members' assistants for personal gain. Examples include favouring one's relatives or friends in a recruitment process, or leaking information and giving undue favour to a particular supplier during a procurement process. Such actions may lead to disciplinary action or even prosecution.

Compliance with this Code

4. It is the personal responsibility of every staff member to understand and comply with this Code which applies equally to full-time, part-time and temporary staff.

Reporting of cases

5. In cases of non-compliance or suspected corruption or criminal offences, any person in the know should report to the LegCo Member concerned and, where appropriate, to the Independent Commission Against Corruption promptly in strictest confidence.

Acceptance and Offering of Advantages

Advantage

6. Staff of LegCo Members should not solicit, accept or offer any advantage in connection with the official dealings with the Member's office. Under Section 9 of the Prevention of Bribery Ordinance (Cap. 201), an employee of an organization who solicits or accepts an advantage in connection with his work without permission of the employer may have committed an offence. The term "advantage" is defined in the Ordinance (see **Annex I**). It includes almost anything of value such as money, gift, commission, loan, fee, reward, office, employment, contract, service or favour.

Entertainment

7. Acceptance of lavish and frequent entertainment from persons with whom the Member's Office ("MO") has official dealings should be avoided. Such persons include, but are not limited to, the media, members of the public, suppliers or any other persons who might benefit unfairly through providing such entertainment activities. Declining invitations to such would free the staff member from any obligation to the offeror. An extract of the definition of "entertainment" from the Prevention of Bribery Ordinance is in **Annex I**.

Free gifts and services

8. Free gifts and services are a kind of "advantage". Staff should decline the offer of such if the acceptance could affect their objectivity in conducting the business of the MO or lead to complaints of bias or impropriety.

9. Staff who have received gifts or souvenirs presented to them in their official capacity should seek written permission from their employer, whether they wish to retain such items or not. The form in **Annex II** should be used for this purpose. As regards the disposal methods for the gifts or souvenirs received, due consideration should be given to the alternatives set out in the form.

Conflict of Interest

10. Situations which give rise to Members or their staff being perceived to have benefited a closely related party or personally should be avoided.

11. Staff should not, in their capacity as assistants of LegCo Members, use their official position or any information made available to them in the course of performing their duties, to seek to influence another person in furtherance of their private interest.

12. For the purposes of this Code, a conflict of interest situation arises where the "private interests" of a staff member compete or conflict with the interests of the public at large or the staff member's official duties. "Private interests" include the financial and other interests of the staff member himself; his family or other relatives; his personal friends; the clubs and associations to which he belongs; any other groups of people with whom he has personal or social ties; or any person to whom he owes a favour or is obligated in any way. There are circumstances in which a tie of kinship or friendship, or some other association or loyalty which does not give rise to a financial interest, can influence the judgement of the staff member in discharging his official duties, or may reasonably be perceived as having such an influence. A staff member's duty to declare a conflict of interest therefore goes beyond the disclosure of interests that are definable in pecuniary terms.

Handling of conflict of interest situations

13. Staff should ensure the business conducted by the MO is done in an open, impartial, reasonable and acceptable manner. Conflict of interest situations should be avoided, but when they do happen, they should be declared and resolved in favour of the public interest.

14. Declarations of interest should be in writing, where appropriate, using the declaration forms in the "Guide for Reimbursement of Operating Expenses for Members of the Legislative Council".

15. Special attention should be given to procurement of goods and services, staff recruitment as well as delivery of the MO's services. For example, a conflict of interest situation may arise if a staff member takes part in the selection of suppliers, where one of the bidders under consideration is his family member, relative or personal friend. When there is perceived or actual conflict of interest, the staff member should abstain from dealing with the matter in question and report the situation to the Member, who should reassign the task to another staff.

Oct 2012

Handling of Assets and Resources

16. Staff who have access to assets acquired with public funds and resources obtained through their official capacity should ensure that they are only used for the intended purpose of performing Members' duties. Misappropriation of such properties for personal gain, such as personal use or unauthorized resale, is prohibited.

17. There should be a clear separation between resources for private business and those for LegCo business of the MO. Intermingling of such assets and resources should be avoided.

Handling of Confidential Information

Use of (privileged) information

18. Staff should not take advantage of, or benefit from, information that is obtained in connection with their duties as Members' assistants, especially when dealing with information not generally available to the public. In their official capacity at the MO, staff should only ask for information required for carrying out their duties and should not seek information for private use or personal interest.

Safekeeping of confidential information

19. Staff who have access to or are in control of confidential information should at all times ensure that such information is properly safeguarded to avoid the misuse or abuse of it. Disclosing confidential information without authorization from the Member concerned or disclosing it in return for monetary awards is strictly prohibited. Moreover, the Personal Data (Privacy) Ordinance (Cap. 486) should be observed to avoid unauthorized disclosure of any personal data.

Other Employment

20. Staff should avoid other employment which has a conflict of interest with their role as assistants of LegCo Members. For full-time staff (who normally work not less than 30 hours a week) of LegCo Members, if they wish to take up paid outside work, whether on a part-time or temporary basis, they should seek the approval of their employer.

False Claims

21. As public money is involved, it is important to ensure that reimbursements are claimed in an accountable manner. Making false claims is a criminal offence.

Diligence

22. Since Members' staff are employed with public funds, they should discharge their duties and responsibilities with due care and diligence, in accordance with their employers' established procedures and instructions. They should be committed and dedicated to their work and exercise every effort to promote the public interest.

* * * * *

INTERPRETATION OF "ADVANTAGE" AND "ENTERTAINMENT"

"Advantage" means –1

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) the exercise or forbearance from the exercise of any right or any power or duty; and
- (f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), particulars of which are included in an election return in accordance with that Ordinance.

"Entertainment" means the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

[Extracted from Section 2 of the Prevention of Bribery Ordinance (Cap. 201)]

(Sample)

**REPORT ON GIFTS PRESENTED TO AN EMPLOYEE
IN HIS/HER CAPACITY AS AN EMPLOYEE OF A MEMBER'S OFFICE**

To : _____
(Member)

Part I (To be completed by the recipient)

I wish to report the following gift(s) presented to me in my capacity as an employee of the Member's office on the following occasion (please specify the event and date) -

Details of gift(s) presented –

Gift	Estimated value (\$)	Offeror
(a)		
(b)		
(c)		

Additional information (if any) –

The following disposal method(s) is/are recommended –

- ☐ Gift item(s) _____ to be returned to the offeror.
☐ Gift item(s) _____ to be retained personally by the recipient.
☐ Gift item(s) _____ to be shared among staff in the recipient's office or _____.
☐ Gift item(s) _____ to be displayed in the recipient's office or _____.
☐ Gift item(s) _____ to be donated to an outside organization (name : _____).
☐ Gift item(s) _____ to be used at the office's social functions as lucky draw prize(s).

Name of recipient _____ Signature _____
Post _____ Date _____

Part II (To be completed by the Member)

- ☐ The recommendation is approved.
☐ The recommendation is not approved. The gift should be _____.

Name of Member _____ Signature _____
Date _____

- ☐ ✓ as appropriate * delete whichever is inapplicable

DEFINITION OF 'RELATIVE'

'Relative' means —

- (a) spouse (including a concubine);
- (b) any person with whom the Member is living in a regular union as if man and wife;
- (c) fiancé, fiancée;
- (d) parent, step-parent, lawful guardian;
- (e) spouse's parent, spouse's step-parent, spouse's lawful guardian;
- (f) grandparent, great-grandparent;
- (g) child, ward of court;
- (h) spouse's child, spouse's ward of court;
- (i) grandchild;
- (j) child's spouse;
- (k) brother, sister;
- (l) spouse's brother, spouse's sister;
- (m) half-brother, half-sister;
- (n) step-brother, step-sister;
- (o) brother's spouse, sister's spouse;
- (p) brother's child, sister's child;
- (q) parent's brother, parent's sister;
- (r) parent's brother's spouse, parent's sister's spouse;
- (s) parent's brother's child, parent's sister's child.

CLAIM FOR REIMBURSEMENT OF OFFICE OPERATION EXPENSES/
ENTERTAINMENT AND TRAVELLING EXPENSES
BY MEMBERS OF THE LEGISLATIVE COUNCIL

SECTION I - DECLARATION AND CERTIFICATION

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office)

I, _____, Member of the Legislative Council ("LegCo"), certify that my expenses listed below arose out of my LegCo duties for the month of _____ 20____. Please reimburse me with \$_____ in respect of the following :

<u>Section</u>	<u>HK\$</u>
II Staff expenses	
III Equipment and furniture	_____
IV Office accommodation expenses	_____
V Other operating expenses	_____
Office operation expenses	_____ (A)
VI Entertainment and travelling expenses (after transferring \$_____ to Section II for employing staff) (<i>Note 1</i>)	_____ (B)
Supporting documents and certified expenses amounted to	_____ (A)+(B)
	=====

I hereby declare that :

- a) all expenses covered in this claim have not been reimbursed before and proper safeguards are in place against duplicate claims; I have made payments to the suppliers/service providers, or reimbursed the persons who have made payments on my behalf, for all expenses covered in this claim;
- b) I have not claimed any reimbursement for paying my relatives, if any, employed in my office;
- c) I have not claimed any consultancy fees for services provided by my political party or any companies/organizations which my political party has a financial interest in or control of; furthermore, my relatives and I have no interest in the consultants employed;
- d) I have not claimed any reimbursement for leasing any property in which I/my relatives have a financial interest;
- e) all staff remunerations reimbursed are for performance of duties and for time worked as detailed in the respective employment contracts; the employment contract concerned has been made available for public inspection if any staff member is also in the employ of my business, or any of my relatives, business associates or affiliated organizations; should there be any substantial change in the time spent on LegCo business by any of my staff, an addendum to the employment contract concerned will be filed with the next reimbursement claim to reflect the change;
- f) I have no objection to disclosing the individual staff remuneration acknowledgments for public inspection;
- g) the funds set aside for contractual and statutory employment benefits as listed in section II below are not excessive, and will not be used for any other purposes, and I undertake to return to the Secretariat all unspent amounts;
- h) items costing \$3,000 or more and with a life span longer than one year, but excluding software and fixtures, are all included in section III below; and
- i) this reimbursement claim complies in all respects with the Reimbursement Guide, which has been read and fully understood by me.

In addition,

- * I have claimed reimbursement for paying my staff who are also in the employ of my business/relative/business associate/affiliated organization[#]. Details and justifications have been provided on Declaration Form I *attached/earlier**;
- * I have claimed reimbursement for leasing property owned by my business associate/affiliated organization[#], and consider that it is in the interest of my constituents/the public to do so. Details and justifications have been provided on Declaration Form II *attached/earlier**;
- * I have claimed reimbursement for procuring goods/services from a supplier/service provider whose business I or my relative(s) has a financial interest in or control of. Details and justifications have been provided on Declaration Form IV(a) *attached/earlier**.

Signature of Member

Date

* delete where inappropriate [#] affiliated organizations (e.g. employer, political party and constituency association)
(Note 1) 50% of the entitlement for (B) can be transferred to (A) for the employment of staff. Any amount already claimed but subsequently redeployed for employing staff should be entered in brackets.

SECTION II - STAFF EXPENSES								
Name of staff		Payment				Funds set aside for gratuity, double pay etc	Total	For Secretariat use
		Salary	Medical benefit	Gratuity/ double pay (not paid from funds set aside)	Others			
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
	Sub-total							
	Mandatory Provident Fund contributions							
	Employees' compensation/medical insurance premiums							
	Other staff expenses (please specify)							
	Recruitment expenses							
Total							\$	(Note 2)

(Note 2) Supporting documents (invoices and receipts or other evidence of payment) should be enclosed. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blacked out before such claims are submitted.

SECTION III - EQUIPMENT AND FURNITURE (Capital items only)						
Item description	Quantity	Unit price (\$3,000 or above)	Total	Location (Office)	For Secretariat use	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
			Total	\$	(Note 2)	

SECTION IV - OFFICE ACCOMMODATION EXPENSES					
	Office 1	Office 2	Office 3	Office 4	For Secretariat use
Address(es) of Office(s)					
Rental (per month)					
Management fee (per month)					
Rates/Government rent (per quarter/per month*)					
Utility charges (i.e. water, electricity and gas)					
Others (please specify)					
Sub-total (Note 2)	\$	\$	\$	\$	Total \$

* please delete where inappropriate

SECTION V - OTHER OPERATING EXPENSES			
Item description		Amount	For Secretariat use
1	Stationery		
2	Periodicals, newspapers and publications		
3	Printing		
4	Website expenses		
5	Consultancy services		
6	Communication expenses (including postage for bulk mailing, Internet, telephone and fax charges)		
7	Publicity items (see claimable items in Appendix I of the Reimbursement Guide)		
8	Activities (see claimable items in Appendix I of the Reimbursement Guide)		
9	Repair and maintenance		
10	Office insurance		
11	Minor tools and equipment		
12	Software and fixtures		
13	Others (please specify)		
Total		\$	(Note 2)

SECTION VI - ENTERTAINMENT AND TRAVELLING EXPENSES		
Entertainment, liaison or travelling expenses paid (Non-accountable)	Portion of entitlement used for employment of staff (Accountable, 50% of yearly ceiling)	For Secretariat use
\$	\$	

[Omitted as spent]

OFFICE OPERATION EXPENSES/ENTERTAINMENT AND TRAVELLING EXPENSES
NOT REIMBURSED TO MEMBERS OF THE LEGISLATIVE COUNCIL

SECTION I - CERTIFICATION

To : Secretary General
 Legislative Council Secretariat,
 (Attn : Accounts Office)

I, _____, Member of the Legislative Council, certify that the following unreimbursed expenses, which arose out of my Council duties, were paid by me in _____ 20____.
 (month)

Section

HK\$

II	Staff expenses	_____	
III	Equipment and furniture	_____	
IV	Office accommodation expenses	_____	
V	Other operating expenses	_____	
	Office operation expenses	_____	(A)
VI	Entertainment and travelling expenses	_____	(B)
	Supporting documents and certified expenses amounted to	_____	(A)+(B)
		=====	

I also confirm that the above expenses comply in all respects with the Reimbursement Guide and do not in any way overlap with those expenses reimbursed from the Legislative Council Secretariat or elsewhere. All expenses covered in this claim have not been submitted to the Secretariat before and proper safeguards are in place against duplicate submissions; I have made payments to the suppliers/service providers, or reimbursed the persons who have made payments on my behalf, for all expenses covered in this claim.

 Signature of Member

 Date

SECTION II - STAFF EXPENSES

		Payment				Total	For Secretariat use
		Salary	Medical benefit	Gratuity/ double pay (not paid from funds set aside)	Others		
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
	Sub-total						
	Mandatory Provident Fund contributions						
	Employees' compensation/medical insurance premiums						
	Other staff expenses (please specify)						
	Recruitment expenses						
	Total						(Note 1)
						\$	

(Note 1) Supporting documents (invoices and receipts or other evidence of payment) should be enclosed. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

SECTION III - EQUIPMENT AND FURNITURE						
	Item description	Quantity	Unit price (\$3,000 or above)	Total	Location (Office)	For Secretariat use
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
Total				\$	(Note 1)	

SECTION IV - OFFICE ACCOMMODATION EXPENSES					
	Office 1	Office 2	Office 3	Office 4	For Secretariat use
Address(es) of Office(s)					
Rental (per month)					
Management fee (per month)					
Rates/Government rent (per quarter/per month*)					
Utility charges (i.e. water, electricity and gas)					
Others (please specify)					
Sub-total (Note 1)	\$	\$	\$	\$	Total \$

* please delete where inappropriate

SECTION V - OTHER OPERATING EXPENSES			
Item description		Amount	For Secretariat use
1	Stationery		
2	Periodicals, newspapers and publications		
3	Printing		
4	Website expenses		
5	Consultancy services		
6	Communication expenses (including postage for bulk mailing, Internet, telephone and fax charges)		
7	Publicity items (see claimable items in Appendix I of the Reimbursement Guide)		
8	Activities (see claimable items in Appendix I of the Reimbursement Guide)		
9	Repair and maintenance		
10	Office insurance		
11	Minor tools and equipment		
12	Software and fixtures		
13	Others (please specify)		
Total		\$	(Note 1)

SECTION VI - ENTERTAINMENT AND TRAVELLING EXPENSES		
Entertainment, liaison and travelling expenses paid (Non-accountable)	(Note 2) \$	For Secretariat use

(Note 2) Not tax-deductible

CLAIM FOR POSTAGE
BY MEMBERS OF THE LEGISLATIVE COUNCIL

Name of Member	
Amount of postage used	
Month/Year	
Number of mailings sent out in the month	

Note : 1. Members should keep copies of the mailings for audit purposes.

2. Members should submit claims for postage together with claims for monthly office operation expenses reimbursement.

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office)

I certify that the above postage expenses, excluding bulk mailing, have been incurred by me on LegCo business, and the expenses have not been and will not be claimed under the office operation expenses reimbursement. Please reimburse the above mentioned sum to me.

Signature of Member

Date

CLAIM FOR REIMBURSEMENT OF
SETTING UP AND INFORMATION TECHNOLOGY EXPENSES
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General
 Legislative Council Secretariat
 (Attn : Accounts Office)

I, _____, hereby certify that this reimbursement claim complies in all respects with the Reimbursement Guide. Please reimburse \$ _____ under the setting up and information technology expenses reimbursement to me in respect of the following payments made in _____ 20____ :
 (month)

Section

HK\$

II Setting up component

- II(a) Fitting-out expenses (A)
- II(b) Basic stationery (B)
- II(c) Capital items (other than IT and communication equipment) (C)
- II(d) Other associated expenses (D)

III Information technology component

- III(a) Capital items (limited to IT and communication equipment) (E)
- III(b) Operation and maintenance of IT and communication equipment (F)

 (Note 1)

I declare that all expenses covered in this claim have not been reimbursed before and proper safeguards are in place against duplicate claims; I have made payments to the suppliers/service providers, or reimbursed the persons who have made payments on my behalf, for all expenses covered in this claim.

 Signature of Member

 Date

SECTION I - CLAIM BACKGROUND

Are you a Re-elected Member / New Member?

- ☐ Re-elected Member
- a. Have you claimed setting up expenses reimbursement in the last LegCo term?
- ☐ Yes
- ☐ No
- b. Do you set up new office in this LegCo term?
- ☐ Yes, due to
- ☐ expiry of tenancy agreement entered prior to the current term
- ☐ other acceptable reasons

 (please provide supporting documents and detailed information)

- ☐ No
- ☐ New Member

(Note 1) \$375,000 may be claimed in a LegCo term; however, if reimbursement was obtained under the setting up component in the immediate previous term, only \$262,500 may be claimed, unless acceptable reasons are provided for under Section I.

SECTION II – SETTING UP COMPONENT

SECTION II(a) – FITTING-OUT EXPENSES

	Item description	Quantity	Unit price	Amount	Purchase date	For Secretariat use
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
				Total (A)		(Note 2)
					\$	

SECTION II(b) – BASIC STATIONERY (up to \$2,000, only for a new office)

	Item description	Quantity	Unit price	Amount	Purchase date	For Secretariat use
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
				Total (B)		(Note 2)
					\$	

<i>SECTION II(c) – CAPITAL ITEMS (other than IT and communication equipment)</i>						
Item description		Quantity	Unit price (\$3,000 or above)	Amount	Purchase date	For Secretariat use
1	Hire purchase payments					
2						
3						
4						
5						
6						
7						
8						
9						
10						
Total (C)				\$	(Note 2)	

<i>SECTION II(d) - OTHER ASSOCIATED EXPENSES (including fixtures, installation charges, as well as minor tools, furniture and equipment below \$3,000 each, and charges for operation, repair and maintenance of fixed assets)</i>						
Item description		Quantity	Unit price	Amount	Purchase date	For Secretariat use
1	Lease payments					
2	Repair and maintenance					
3	Toner/Meter charges					
4						
5						
6						
7						
8						
9						
10						
Total (D)				\$	(Note 2)	

(Note 2) Supporting documents (invoices, receipts or other evidence of payment) should be enclosed. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

SECTION III – INFORMATION TECHNOLOGY COMPONENT
SECTION III(a) – CAPITAL ITEMS (limited to IT and communication equipment)

	Item description	Quantity	Unit price (\$3,000 or above)	Amount	Purchase date	For Secretariat use
1	Hire purchase payments					
2						
3						
4						
5						
6						
7						
8						
9						
10						
				Total (E)		(Note 2)
				\$		

SECTION III(b) – OPERATION AND MAINTENANCE OF IT AND COMMUNICATION EQUIPMENT

	Item description	Amount	For Secretariat use
1	Printer/Fax machine toner (not photocopier toner)		
2	Telecommunication service charges		
3	Repair and maintenance (computer/communication equipment only)		
4	Website expenses		
5	Software (please specify)		
6	Lease payments		
7	Others (please specify)		
8			
9			
10			
		Total (F)	(Note 2)
		\$	

[Omitted as spent]

CLAIM FOR REIMBURSEMENT OF WINDING UP EXPENSES
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General
 Legislative Council Secretariat
 (Attn : Accounts Office)

I, _____, hereby certify that the expenses listed below were incurred and paid by me due to the cessation of my office. Please reimburse \$_____ to me under the winding up expenses reimbursement for the following :

<u>Section</u>	<u>HK\$</u>
I Accountable expenses	_____ (A)
II Accountable end-of-employment benefits other than severance payments (net of amounts previously set aside)	_____ (B)
III Non-accountable expenses	_____ (C)
	_____ (A)+(B)+(C)
IV Severance payments	_____ (D)
	=====

I further declare that :

- a) all expenses covered in this claim have not been reimbursed before and proper safeguards are in place against duplicate claims; I have made payments to the suppliers/service providers, or reimbursed the persons who have made payments on my behalf, for all expenses covered in this claim;
- b) non-essential services have been curtailed as early as possible;
- c) acquisition of stores has been limited to quantities which are essential for the winding up;
- d) apart from compensation for the premature termination of contracts, if any, no reimbursement has been claimed for on-going services which extend beyond one month after the date of cessation of office; and
- e) the severance payments were not more than that required by the Employment Ordinance, or in the case of staff employed for less than two years, not more than the time-apportioned amounts calculated on the notional severance payments payable; and they were paid only to staff employed with the office operation expenses reimbursement or entertainment and travelling expenses reimbursement (but not more than 50% thereof).

 Signature of Member

 Date

SECTION I - ACCOUNTABLE EXPENSES

	Details of expenses with supporting documents	Amount	For Secretariat use
1			
2			
3			
4			
5			
6			

SECTION I - ACCOUNTABLE EXPENSES (CONT'D)			
	Details of expenses with supporting documents	Amount	For Secretariat use
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
	Total (A)	\$	(Note 1)

SECTION II - ACCOUNTABLE END-OF-EMPLOYMENT BENEFITS OTHER THAN SEVERANCE PAYMENTS			
	Particulars	Amount	For Secretariat use
	Details as per Annex to Form G (B1)		
	Less : Funds set aside previously (Note 2) (B2)	()	
	Net (B)	\$	(Note 1)

SECTION III - NON-ACCOUNTABLE EXPENSES			
	Nature of expenses without supporting documents	Amount	For Secretariat use
1			
2			
3			
4			
5			
	Total (C)	\$	

(Note 1) Supporting documents (invoices, receipts or other evidence of payment) should be enclosed. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

(Note 2) Funds set aside in previous years that are in excess of (B1) cannot be used to reimburse expenses other than staff benefits incurred in the year when the funds were set aside. Such excesses should be returned using Form G.

SECTION IV - SEVERANCE PAYMENTS

Name of staff	Employment period		Length of employment period		Last full month's salary	Severance pay entitled	Amount offset with accrued retirement benefits / gratuities	Net amount paid	For Secretariat use
	From	To							
	DD/MM/YY	DD/MM/YY	Years	Months					
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
Total (D)								\$	(Note 1)

DIRECT SETTLEMENT OF WINDING UP EXPENSES
BY THE LEGISLATIVE COUNCIL SECRETARIAT

To : Secretary General
 Legislative Council Secretariat
 (Attn : Accounts Office)

For the winding up of my Member's office, I, _____, would like the Secretariat to settle the following expenses on my behalf.

<u>Section</u>	<u>HK\$</u>
I Staff salaries	_____ (A)
II Office rentals	_____ (B)
III Consultancy fees	_____ (C)
IV Compensations for early termination of contracts	_____ (D)
	_____ (A) + (B) + (C) + (D)
V Severance payments	_____ (E)
	(Note 1) _____
	=====

I further declare that :

- all expenses covered in this claim have not been reimbursed before and proper safeguards are in place against duplicate claims;
- the severance payments are not more than that required by the Employment Ordinance, or in the case of staff employed for less than two years, not more than the time-apportioned amounts calculated on the notional severance payments payable; and they are paid only to staff employed with the monthly office operation expenses reimbursement or entertainment and travelling expenses reimbursement (but not more than 50% thereof);
- salaries payable to my staff are for their service not later than one month after the date I ceased to be Member;
- the compensation(s) for early termination of contract(s) are reasonable and contractually required in view of the notice period(s) I have served; and
- all the above expenses are necessarily incurred on LegCo business.

 Signature of Member

 Date

SECTION I - STAFF SALARIES

Name of staff	Period covered		Monthly rate	Amount payable	Bank/branch/account no. (not available for public inspection)	For Secretariat use
	From DD/MM/YY	To DD/MMYY				
1						
2						
3						
4						
5						

(Note 1) Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

SECTION I - STAFF SALARIES (CONT'D)							
Name of staff		Period covered		Monthly rate	Amount payable	Bank/branch/account no. (not available for public inspection)	For Secretariat use
		From DD/MM/YY	To DD/MMYY				
6							
7							
8							
9							
10							
Total (A)					\$		

SECTION II - OFFICE RENTALS							
Name and address of landlord		Period covered		Monthly rate	Amount payable	For Secretariat use	
		From DD/MM/YY	To DD/MM/YY				
1							
2							
3							
					Total (B) (Note 2)	\$	

SECTION III - CONSULTANCY FEES							
Name and address of consultant		Nature of consultancy work	Period covered		Monthly rate	Amount payable	For Secretariat use
			From DD/MM/YY	To DD/MM/YY			
1							
2							
					Total (C) (Note 2)	\$	

SECTION IV - COMPENSATIONS FOR EARLY TERMINATION OF CONTRACTS							
Name and address of contractor		Nature of contract	Period covered		Monthly rate	Amount payable	For Secretariat use
			From DD/MM/YY	To DD/MM/YY			
1							
2							
3							
					Total (D) (Note 3)	\$	

(Note 2) Certified invoices should be enclosed.

(Note 3) Certified copy of agreement with compensation clause(s) highlighted must be submitted for verification and public inspection.

SECTION V - SEVERANCE PAYMENTS

Name of staff	Employment period		Length of employment period		Last full month's salary	Amount payable	Bank/branch/account no. (not available for public inspection)	<i>For Secretariat use</i>
	From	To						
	DD/MM/YY	DD/MM/YY	Years	Months				
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
Total (E)						\$		

EMPLOYMENT BENEFITS
PAYMENT AND REFUND OF FUNDS SET ASIDE

Name of Member	
Office Address	

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office)

I enclose *the following receipts from my staff for settlement of their benefits / and a cheque for the excess funds no longer required. I confirm that the balance of funds as indicated below is still in my custody.

	<u>HK\$</u>
Balance of funds obtained under office operation expenses reimbursement up to the _____ (month/year)	
Less: Payments to staff (<i>details at Annex</i>) ()	
Less: Excess funds now returned (<i>cheque enclosed</i>) ()	
Balance of funds carried forward	_____
	=====

I declare that all expenses covered in this claim have not been reimbursed before and proper safeguards are in place against duplicate claims; and

I also confirm that the balance of funds being held by me is not excessive in view of my obligations under the unexpired employment agreements with my staff.

Signature of Member

Date

* please delete where inappropriate

PAYMENT OF EMPLOYMENT BENEFITS

Receipts of the following payments are enclosed:

Name of staff		Payment Period		Nature of payment (eg gratuity, year-end bonus)	Calculation of benefits (please show calculations)	Amount paid (HKD)	<i>For Secretariat use</i>
		From DD/MM/YY	To DD/MM/YY				
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
Total						\$	(Note)

(Note) Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

**NOTIFICATION OF
UPGRADING, REPLACEMENT OR SALE OF CAPITAL ASSETS
BY MEMBERS OF THE LEGISLATIVE COUNCIL**

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office/Supplies Office)

I, _____, have *upgraded/replaced the following capital items. Please contact my assistant, Mr/Ms _____ on _____ (telephone no.) to confirm disposal of the replaced item and update your records accordingly.

Signature of Member

Date

* please delete where inappropriate

SECTION I

	Original asset	Particulars	For Secretariat use
1	Date of purchase		
2	Secretariat asset no.		
3	Description		
4	Amount (or estimated amount for replaced parts)		
5	State of the item	* upgraded with the item in Section II * traded in at \$ _____ (Note 1) * sold for \$ _____, and the proceeds have been used on _____ for which supporting documents are attached * lost / broken / in good condition * junk (disposal method to be determined by Supplies Office) Remarks : _____	Disposal method agreed by Supplies Office
6	Supplies Office's decision on disposal method	* to be scrapped and disposed of by Members * to be returned to the Secretariat * others : _____	

SECTION II

	New item	Particulars	For Secretariat use
1	Description		
2	Net amount paid (Notes 1 and 2)		
3	Remarks		

(Note 1) The proceeds from the sale of the replaced asset or parts should be used to reduce the amount claimed for the new item.

(Note 2) Supporting documents (invoices, receipts or other evidence of payment) should be attached to the accompanying claim form. Personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat; information which is not essential for verification of the nature of an expense or for tracing the source of an expense (such as age, date of birth, medical diagnoses, bank account numbers, credit card numbers and credit limits) may also be blocked out before such claims are submitted.

CAPITAL ITEMS LIST

Name of Member	
----------------	--

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office)

I certify that the following capital items, acquired with Members' operating expenses reimbursements, were kept in my office(s) on _____ for use on LegCo business:
(date)*

No.	Secretariat asset no.	Description	Date acquired	Purchase price	Reimbursed amount
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
			Page 1 total		
			Page 2 total		
			Page 3 total		
			Grand total	\$	\$

I also certify that physical count of the above items has been conducted.

Signature of Member

Date

* to be reported as at 30 September

CAPITAL ITEMS LIST

Page ____ of ____

Name of Member	
----------------	--

No.	Secretariat asset no.	Description	Date acquired	Purchase price	Reimbursed amount
			Page total	\$	\$

RETURN OF CAPITAL ITEMS
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

To : Secretary General
Legislative Council Secretariat
(Attn : Accounts Office / Supplies Office)

* I / We would like to return the following capital items acquired with Members' operating expenses reimbursements. You may contact my assistant Mr / Ms _____ on _____ to make the necessary arrangements. (telephone no.)

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	In good condition (✓/×)	Disposal method agreed by Supplies Office
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
		Page 1 total				
		Page 2 total				
		Grand total		\$		

Signature of Member
Name :

Signature of Member
Name :

Signature of Member
Name :

Signature of Member
Name :

Signature of Member
Name :

Date :

* *delete where inappropriate*

RETURN OF CAPITAL ITEMS
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

Page ____ of ____

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	In good condition (✓/✗)	Disposal method agreed by Supplies Office
Page total				\$		

PURCHASE OF CAPITAL ITEMS
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

To : Secretary General
 Legislative Council Secretariat
 (Attn : Accounts Office)

* I / We would like to purchase the following capital items, which were acquired with Members' operating expenses reimbursements, at their depreciated value⁽¹⁾ as set by the Secretariat or 5% of their original value, whichever is the higher.

* The following capital items were acquired jointly by us using Members' operating expenses reimbursements. We hereby agree that _____ may purchase them at the following values :
 (name(s) of Member(s))

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Purchase value
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
		Page 1 total			
		Page 2 total			
		Grand total		\$	\$

A cheque payable to "The Legislative Council Commission" in the amount of \$ _____ is enclosed.

 Signature of Member
 Name :

 Signature of Member
 Name :

 Signature of Member
 Name :

 Signature of Member
 Name :

 Signature of Member
 Name :

Date :

* delete where inappropriate

⁽¹⁾ Predetermined depreciation methods will be adopted for determining the value of capital items returned by Members. All capital items except electronic equipment are assumed to have a useful life span of five years with an annual depreciation rate of 20%. For electronic equipment, the depreciated value will be calculated by an accelerated depreciation method (i.e. the "sum of digit" method) so as to reflect their higher initial depreciation charge and fall in book value. Based on such method, the depreciated value of electronic equipment after year 1, 2, 3, 4 and 5 of the purchase will be 2/3, 2/5, 1/5, 1/15 and 0 of the original purchase price respectively. Outgoing or incoming Members may purchase returned capital items at depreciated value or 5% of their original value, whichever is the higher.

PURCHASE OF CAPITAL ITEMS
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

Page _____ of _____

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Purchase value
Page total				\$	\$

APPLICATION FOR OPERATING FUNDS
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General
 Legislative Council Secretariat
 (Attn : Accounts Office)

I, _____, would like to obtain an operating fund of \$ _____
 for financing the following:

HK\$

Office operation, entertainment and travelling expenses _____ (A)

Office setting up and information technology expenses _____ (B)

=====

I understand that :

- a) the operating fund for office operation, entertainment and travelling would be used to offset against the operating expenses reimbursement for the month immediately before I leave office and against the winding up expenses reimbursement which I may claim;
- b) the operating fund for office setting-up and information technology expenses would be offset against the setting up and information technology expenses reimbursement which I must claim with proper supporting documents within three months from the date of receiving the operating fund; and
- c) any surplus must be returned to The Legislative Council Commission as soon as it is known.

Please deposit the operating fund to my bank account per details as provided earlier.

 Signature of Member

 Date

RECRUITMENT OF STAFF

Name(s) of Member(s)	(1)	(2)
Post under recruitment		
SECTION I – RECRUITMENT METHOD AND PROCESS ^(Note 1)		
<p>(A) By open recruitment</p> <p><input type="checkbox"/> Advertised in the newspaper</p> <p>_____</p> <p>(please specify) _____ Date _____</p> <p><input type="checkbox"/> Notice displayed on the notice board/window of the office _____</p> <p>Date _____</p> <p><input type="checkbox"/> Notice posted on the website _____</p> <p>Date _____</p> <p><input type="checkbox"/> Through Labour Department _____</p> <p>Date _____</p> <p><input type="checkbox"/> Others : _____</p> <p>(please specify) _____ Date _____</p>		
<p>(B) By invitation (or other means)</p> <p>Please state the channel or relationship with the applicant(s)</p>		
No. of applications received		
No. of applicants invited for interview		
Date(s) interviews conducted		
Name(s) of applicant(s) selected		

☐ ✓ as appropriate

(Note 1) For compliance audit purposes, relevant documents should be kept for at least two years after completion of the recruitment exercise.

SECTION II - DECLARATION (by person(s) recommending/making the appointment decision)

- (i) The appointee *is/is not** a relative of Decision-maker (A);
*the appointee *is/is not** a relative of Decision-maker (B).
- (ii) The appointee was *known/unknown** to Decision-maker (A); *the appointee *is/was** Decision-maker (A)'s _____;
*the appointee was *known/unknown** to Decision-maker (B); *the appointee *is/was** Decision-maker (B)'s _____.
(*please specify nature of relationship other than that of being an employee of the LegCo Member's Office, if any*).
- (iii) The appointment is recommended/made purely on the basis of merit. Apart from factors such as general market condition, due regard has been paid to the abilities displayed and the remuneration requested by all applicants.

Decision-maker (A)	_____	_____	_____	_____
	Name	Position/ Capacity	Signature	Date
Decision-maker (B)	_____	_____	_____	_____
	Name	Position/ Capacity	Signature	Date

SECTION III - DECLARATION (by Member(s) employing the appointee; leave blank if the Member, being the decision-maker or one of the decision-makers, has already signed in SECTION II, unless additional information has to be given under item (iv) below)

I/We* hereby certify that:

- (i) the appointee is not a relative of Member (1);
*the appointee is not a relative of Member (2);
- (ii) the appointee was *known/unknown** to Member (1); *the appointee *is/was** Member (1)'s _____;
*the appointee was *known/unknown** to Member (2); *the appointee *is/was** Member (2)'s _____.
(*please specify nature of relationship other than that of being an employee of the LegCo Member's Office, if any*);
- (iii) the appointment is made purely on the basis of merit; apart from factors such as general market condition, due regard has been paid to the abilities displayed and the remuneration requested by all applicants; and
- (iv) *the appointee is also in the employ of Member (1)'s *business/relative/business associate/affiliated organization**, namely _____;
*the appointee is also in the employ of Member (2)'s *business/relative/business associate/affiliated organization**, namely _____.
(*please see paragraph 17(a) of the Reimbursement Guide, specify the relationship, and name the third party in the space provided*), a copy of his/her employment contract with this Member's Office is attached for public inspection.

_____	_____
Signature(s) of Member(s)	Date

* delete where inappropriate

**LEASING OF OFFICE ACCOMMODATION
FROM A BUSINESS ASSOCIATE OR AFFILIATED ORGANIZATION**

Name of Member			
<i>SECTION I – PARTICULARS OF OFFICE AND LANDLORD CONCERNED</i>			
Address			
Name of landlord			
Relationship of Member with landlord			
<i>SECTION II - JUSTIFICATION FOR LEASING THE ABOVE-STATED OFFICE</i>			
<i>SECTION III - COMPARISON OF ACTUAL RENTAL WITH MARKET RENTAL</i>			
Name of registered professional surveyor (General Practice) registered under "Surveyors Registration Ordinance" (Cap. 417)/corporate member of the Hong Kong Institute of Surveyors (General Practice Division)			
Date of a comparable valuation (i.e. valuation as at)		Tenancy agreement signed on	
Valuation of market rental		Actual rental per tenancy agreement	
<i>SECTION IV - DECLARATION</i>			
<p>I hereby certify that the above stated information is correct and attach herewith the independent valuation report referred to in Section III above.</p> <div style="display: flex; justify-content: space-between; margin-top: 50px;"> <div style="width: 45%; text-align: center;"> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Signature of Member </div> <div style="width: 45%; text-align: center;"> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date </div> </div>			

* delete where inappropriate

SHARING OF OFFICE ACCOMMODATION

Name of Member	
<i>SECTION I – PARTICULARS OF OFFICE CONCERNED</i>	
Address	
Landlord	
Co-tenant (or name of the Member if office partly used by him/her for non-LegCo business)	
Business of co-tenant	
Tenancy period / Period for shared use	to
Tenancy agreement	As per attached (with demarcations for areas used exclusively for LegCo business, or otherwise, and areas commonly used)
Floor plan with measurements	
Rental for the whole office	\$ /month
Rental shared by Member for LegCo business	\$ /month
<i>SECTION II - RENTAL-SHARING BASIS AND CALCULATIONS</i>	
<i>SECTION III - DECLARATION</i>	
<p>I hereby certify that the information provided above is correct, and undertake to notify the LegCo Secretariat of any changes and cause adjustments to the sharing ratio in a fair manner whenever necessary.</p>	
<p>_____</p> <p>Signature of Member</p>	<p>_____</p> <p>Date</p>

DECLARATION OF PROCUREMENT
INVOLVING CONFLICT OF INTEREST SITUATIONS

(A Member, his/her staff or any of their relatives should not have a financial interest in or control of the business of the supplier/service provider. Neither should any of them derive or be able to derive any financial benefits from a transaction for which reimbursement of expenses is claimed. If that could not be avoided, justification and declaration are required.)

Name of Member	
PROCUREMENT PARTICULARS	
Product or Service procured	
Date of Procurement	
Supplier/Service provider	
SECTION I: DECLARATION (to be completed by the person who or whose relative (a) has a financial interest in or control of the business of the supplier/service provider, and/or (b) derives or can derive financial benefits from the transaction)	
<p>Nature of relationship with the supplier/service provider:</p> <p><input type="checkbox"/> The Member is a(n) <i>relative/shareholder/partner/business associate/employee*</i> (for other relationships, please specify) _____ of the supplier/service provider.</p> <p><input type="checkbox"/> The Member's relative (relationship: _____) is _____ of the supplier/service provider.</p> <p><input type="checkbox"/> The staff member (name: _____) is _____ of the supplier/service provider.</p> <p><input type="checkbox"/> The staff member's relative (relationship: _____) is _____ of the supplier/service provider.</p> <p>Nature of financial interest/benefit accrued to the <i>Member/staff/Member's or staff's relative*</i> and the total amount involved: _____</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%; text-align: center;"> _____ Name </div> <div style="width: 30%; text-align: center;"> _____ Signature </div> <div style="width: 30%; text-align: center;"> _____ Date </div> </div>	

☐ ✓ as appropriate

* delete where inappropriate

SECTION II: JUSTIFICATION FOR DECISION AND DECLARATION (to be completed by person(s) making the procurement decision, such person(s) should, as far as possible, not be the one(s) completing Section I)

A. Justification for decision

- (1) Are you aware of the financial interest above before making the procurement decision? *Yes / No**
- (2) Did you obtain three quotations before making the procurement decision? *Yes / No**

(a) If yes, please provide details of the quotations

Quotations obtained <i>(Note 1)</i>	Quotation 1	Quotation 2	Quotation 3
Date			
Supplier/Service provider			
Means of obtaining quotations (e.g. by telephone, shopping, tender) and contact details <i>(Note 2)</i>			
Description of items offered (e.g. make/model)			
Price			
Decision	<i>Accepted/ Rejected*</i>	<i>Accepted/ Rejected*</i>	<i>Accepted/ Rejected*</i>

(b) If no, please state below the reasons for not obtaining three quotations:

(3) The procurement decision is based on consideration of the following:

- ☐ price ☐ service/support
- ☐ quality/functions ☐ convenience
- ☐ availability ☐ other reasons: _____

(Note 1) For compliance audit purposes, relevant documents should be kept for at least two years after completion of the procurement exercise.

(Note 2) If by telephone enquiry, state contact person and telephone number. If by shopping, the shop address should be stated.

B. Declaration

- (1) I/We and my/our relatives have no financial interest in, nor control of, the business of the supplier/service provider.
- (2) I/We and my/our relatives derive no financial benefits from the transaction. Neither can any of us derive any financial benefits from the transaction.

Decision-maker

(A)

Name

Position/
Capacity

Signature

Date

Decision-maker (B)

Name

Position/
Capacity

Signature

Date

** (Detailed assessment, if any, is shown in the attached, which can be/should not be* open for public inspection.)*

SECTION III - DECLARATION (to be completed by Member)

I hereby certify that:

- (i) To the best of my knowledge and belief, the above procurement complies with A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council;
- (ii) **I and my relatives have no financial interest in, nor control of, the business of the supplier/service provider;*
- (iii) **I and my relatives derive no financial benefits from the transaction. Neither can any of us derive any financial benefits from the transaction; and*
- (iv) **The supplier/service provider is not a business associate of mine nor an organization to which I am affiliated; or*
- (v) **The supplier/service provider selected is a business associate of mine or an organization to which I am affiliated. Nonetheless, my procurement decision is made in the public interest.*

**In spite of the financial interest/benefit involved as stated in Section I, the procurement decision is unavoidable for the following reasons (e.g. sole supplier for the goods/services required; lower prices from using bulk contracts of an affiliated association):*

Signature of Member

Date

PROCUREMENT EXCEEDING \$20,000

(In any procurement situations where the Member, his/her staff or any of their relatives has a financial interest in or is in control of the business of the supplier/service provider, or if any of them derives or can derive a financial benefit from the transaction, Declaration Form IV(a) should be used.)

Name of Member			
SECTION I – PROCUREMENT PARTICULARS <i>(Note 1)</i>			
Product or Service procured			
Quotations obtained <i>(Note 2)</i>	Quotation 1	Quotation 2	Quotation 3
Date			
Supplier/Service provider			
Means of obtaining quotations (e.g. by telephone, shopping, tender) and contact details <i>(Note 3)</i>	<input type="checkbox"/> see attached <i>(Note 2)</i>		
Description of items offered (e.g. make/model)			
Price			
Decision	Accepted/ Rejected*	Accepted/ Rejected*	Accepted/ Rejected*

☐ ✓ as appropriate * delete where inappropriate

(Note 1) Three quotations should be obtained in respect of any procurement exceeding \$20,000. For compliance audit purposes, relevant documents should be kept for at least two years after completion of the procurement exercise.

(Note 2) If no new quotations have been obtained owing to reliance on a similar quotation exercise conducted within the past three months, a copy of the previous Declaration Form IV(b) concerned should be attached for reference, and the relevant supporting quotation documents should be kept for at least two years after completion of this procurement.

(Note 3) If by telephone enquiry, state contact person and telephone number. If by shopping, the shop address should be stated.

SECTION II - JUSTIFICATION FOR DECISION

The decision is based on consideration of the following:

- | | |
|--------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> price | <input type="checkbox"/> service/support |
| <input type="checkbox"/> quality/functions | <input type="checkbox"/> convenience |
| <input type="checkbox"/> availability | <input type="checkbox"/> other reasons: _____ |

* (Detailed assessment, if any, is shown in the attached, which can be/should not be* open for public inspection.)

SECTION III - DECLARATION (by person(s) making the procurement decision)

I/We* hereby certify that the above information is correct.

Decision-maker (A)	_____	_____	_____	_____
	Name	Position/ Capacity	Signature	Date

Decision-maker (B)	_____	_____	_____	_____
	Name	Position/ Capacity	Signature	Date

SECTION IV - DECLARATION (by Member; leave blank if the Member, being the decision-maker or one of the decision-makers, has already signed in SECTION III)

I hereby certify that the above information is correct.

_____	_____
Signature of Member	Date