

**Extract from the minutes of the House Committee meeting on 28 November 2003**

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**VIII. Any other business**

**Hon Emily LAU Wai-hing's letter dated 25 November 2003 to the Chairman of the House Committee**

*(LC Paper No. CB(2)457/03-04(02))*

56. Ms Emily LAU said that she had received letters from members of the public expressing concern about recent media reports alleging improper use of the operating expenses reimbursements by LegCo Members. Ms LAU further said that these members of the public considered that if there was no mechanism for monitoring Members' use of public funds, the credibility of LegCo would be undermined.

57. Ms LAU said that she hoped there would be a forum to further discuss the matter, such as whether a mechanism should be established to monitor Members' use of their operating expenses reimbursements, and how complaints in this regard should be dealt with. Ms LAU suggested that the LegCo Secretariat should prepare an information paper to facilitate discussion of the matter by Members at a future House Committee meeting.

58. Mr Albert HO, Miss Margaret NG and Dr Eric LI supported Ms LAU's suggestion. Mr Albert HO said that LegCo should not, on the one hand, be very strict with the Administration regarding the use of public funds and, on the other hand, decline to do anything about allegations of improper use of public funds by its own Members. Mr HO considered that a better system should be put in place, instead of solely relying on the present "honour system" or monitoring by the public. He suggested that independent persons could be appointed to conduct investigation into allegations in order to uphold the credibility of LegCo.

59. Dr Eric LI said that although the Secretary General was the Controlling Officer of the resources allocated to The Legislative Council Commission, he was not in a position to respond to public queries on the improper use of public funds by Members. Dr LI further said that there should be a mechanism to monitor Members' use of the operating expenses reimbursements, and to review the relevant guidelines from time to time. Dr LI added that he supported the appointment of independent persons to conduct investigation into allegations of improper use of public funds by Members.

60. Mrs Selina CHOW said that in the previous studies undertaken by the Committee on Members' Interests on whether the committee should be empowered to investigate complaints against the conduct of individual Members, some Members had expressed concern about Members themselves inquiring into the conduct of fellow Members. Mrs CHOW said that Members should be mindful of such a concern in considering whether a monitoring mechanism should be established.

61. Members agreed that the LegCo Secretariat should prepare an information paper on the existing arrangements for Members to make claims for operating expenses reimbursements.

62. Ms Emily LAU requested that the paper should also provide statistics on past complaints from the public in this regard and information on how such complaints had been followed up. Mr Albert HO requested that the paper should include information on the practices in overseas countries. Mr Andrew WONG requested that the paper should cover the relevant studies, such as those conducted by the former LegCo Ad Hoc Group to Review the Allowance for Members and the Independent Commission on Remuneration for the Members of the Executive and the Legislature of the Hong Kong Special Administrative Region.

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