

立法會 *Legislative Council*

立法會 CMI/19/11-12 號文件

檔 號：CB(3)/C/2(08-12)

議員個人利益監察委員會

檢討議員個人利益的登記和披露

目的

本文件提供有關議員個人利益的登記和披露規定的背景，並載列議員就此課題提出的多項意見和關注，以及因應議員的意見和關注而就該等規定提出修改建議時須考慮的事宜。

議員個人利益的登記

現時的情況

2. 《議事規則》第83條規定，議員必須就下述8個須予登記的個人利益類別登記其個人利益：(a)公司的受薪董事職位；(b)受薪工作、職位、行業、專業或職業；(c)獲議員提供服務的客戶的名稱(該等服務是因其立法會議員身份而產生或與該身份有關的)；(d)選舉捐贈及財政贊助；(e)海外訪問；(f)從香港以外的政府或組織或非香港永久性居民的人士收受的款項、實惠或實利；(g)土地及物業；及(h)股份。第83條並規定議員須不得遲於每屆任期舉行首次會議當天，以立法會主席批准的議員個人利益登記表格(下稱"登記表格")，向立法會秘書提供其須予登記的個人利益詳情，而須予登記的個人利益如有變更，議員則須在變更後14天內向立法會秘書提供變更詳情。

3. 議員須予登記的個人利益的詳細資料載錄於議員個人利益登記冊(下稱"登記冊")，供公眾查閱。備存登記冊的主要目的，是提供議員所收受金錢或其他實惠的資料，而該等個人利益可能被其他人合理地視為會影響該議員在立法會的行為、言論、表決取向，或以立法會議員身份所作的行為。

4. 根據《議事規則》第73(1)條，議員個人利益監察委員會(下稱"監察委員會")的職責包括編製及備存登記冊，以及考慮議員或其他人士就該登記冊的形式及內容提出的建議。為方便議員登記他們的個人利益，監察委員會亦制訂了一套個人利益登記指引(下稱"登記指引")。該登記指引提醒議員，他們在決定應該申報哪些個人利益時應以登記冊的目的為依據，以及登記個人利益是《議事規則》第83A條(議員披露個人金錢利益的規定)以外的附加規定，絕不能取代第83A條的規定(詳情載於下文第12段)。

歷史背景

5. 登記個人利益的規定和登記冊的編製及備存，是由前立法局於1991年開始引進。這些規定均以英國國會下議院當時採用的規定為藍本。此後，立法局／立法會曾對議員個人利益登記的規定作出多項修訂(附錄I)，主要的修訂如下：

- (a) 把議員向立法會秘書登記其須予登記的個人利益的期限，由"不得遲於每一會期首次會議舉行之前7天"改為"不得遲於每屆任期舉行首次會議當天"，讓議員有充足時間完成登記須予登記的個人利益(經修訂的《議事規則》第83(1)條已於1999年4月28日獲立法會通過)；
- (b) 以議員必須登記其作為立法會選舉候選人時所收取的所有捐贈的規定，取代下述規定：議員必須登記收取的財政贊助，而該等贊助是某議員"作為立法局選舉候選人時，據該議員所知超過10,000元或其選舉開支25%的贊助"。這項新規定旨在令《議事規則》的規定，與當時的《舞弊及非法行為條例》(第288章)的規定一致(該條例已被廢除，並於2000年2月16日重新制定為《選舉(舞弊及非法行為)條例》)(第554章)) (經修訂的《議事規則》第83(5)(d)(i)條已於1999年4月28日獲立法會通過)；及
- (c) 規定議員如擔任另一間公司旗下附屬公司的受薪董事，亦須登記該另一間公司的名稱，以收緊受薪董事職位的登記規定(經修訂的《議事規則》第83(5)(a)條已於2006年4月26日獲立法會通過)。

6. 自1991年以後，登記表格和登記指引亦經過多次修訂。前監察委員會的做法是，就登記表格建議的任何修改，均會諮詢全體議員，然後提請立法局／立法會主席批准予以實施。然而，若對登記表格的修改是因應相關《會議常規》或《議事規則》條文的修訂而必須作出的修改，又或屬因應相關法例的修訂或增訂條文而作出的相應修改，則前監察委員會便不會向全體議員進行諮詢。

與香港行政會議成員的比較

7. 香港行政會議成員亦須在委任之初及其後每一年，向行政會議秘書登記6類須予登記的個人利益，即"受薪董事職位"；"受薪工作、職位、行業、專業等"；"服務對象"；"土地及物業"；"股份"及"公眾理解為屬須申報利益的理事會、委員會或其他機構的成員身分"。每位行政會議成員申報的利益都上載行政會議網址，供公眾查閱。申報的利益如有變更，行政會議成員須在變更有效日期起計算的14天內通知行政會議秘書。此外，行政會議成員本人及其配偶接受因行政會議成員身分而獲得的財政贊助、海外訪問贊助或價值港幣2,000元或以上的禮物，須於14天內作出申報；這些申報亦會上載行政會議網址，供公眾查閱¹。

8. 關於"土地及物業"這項須予登記的個人利益，立法會議員無須登記他們擁有及經常性自住的居所，除非該居所亦為其帶來收入。然而，行政會議成員則須一併登記自住物業。

9. 就立法會議員而言，如他們本人，或連同其配偶或子女，或代表其配偶或子女持有某公司或團體的股份的實益權益，而該等股份的面值超過該公司或團體已發行股本的1%²，即必須登記該公司或團體的名稱。行政會議成員亦須在委任之初及其後每一年，以保密形式向行政長官申報更詳細的財務利益。這些財務利益包括成員本人或連同配偶或子女或其他近親所持有的公司股份(不論持股數量)，以及期貨或期權合約。上述利益如有變更，以及成員進行超過港幣20萬元的貨幣交易，應在兩個交易日內通知行政會議秘書。

¹ 行政長官辦公室為政制事務委員會2010年11月15日會議擬備題為"行政會議成員的利益申報制度"的文件(立法會CB(2)239/10-11(07)號文件)。

² 如《公司條例草案》獲立法會通過，《議事規則》第83(5)(h)條下提述的"股份的面值"將需修改。根據該條例草案第4部，當局強制所有有股本的公司採用無面值股份制度後，公司股份的"面值"概念便會廢除。

英國下議院近期對議員個人利益登記規定的修改

10. 由於立法會的登記制度以英國下議院的登記制度為藍本，秘書處曾研究英國下議院有否就其登記制度作出重大修改及(如有的話)這些重大修改為何。秘書處察悉，英國下議院近年曾對其登記制度作出下列重大修改：

- (a) 2008年3月27日，下議院藉決議同意規定議員須登記他們聘用為職員的家庭成員資料；
- (b) 2009年4月30日，下議院藉決議同意規定議員須登記從外間機構賺取的入息的全部詳情。受影響的須予登記個人利益類別為董事職位、工作及客戶。議員須向登記主任提供下列詳情：
 - (i) 每筆與任何利益有關的酬金的確實款額；
 - (ii) 就收取的酬金而進行的工作的性質；
 - (iii) 有酬期間內的工作時數；
 - (iv) 支付該筆酬金的人士、機構或公司的名稱及地址(除非披露有關資料會違反任何有關私隱或保密的法律或既定專業責任)；
 - (v) 不論這些利益的價值在任何指定年份是否超過當前議會薪金的1%，均須予以登記；及
 - (vi) 不論有關利益是否基本上藉着或由於議員作為國會議員的身份而獲得，均須予以登記；及
- (c) 2011年2月7日，下議院藉決議同意就登記外間工作收入訂立一項"法律不問瑣事"的規則。就每筆酬金而言，有關門檻訂於議員薪金的0.1%，而就同一年份同一來源的累計酬金總額而言，則訂於議員薪金的1.0%³。

11. 立法會、行政會議與英國下議院的須予登記的個人利益的比較載於**附錄II**，供委員參閱。

³ 英國下議院資料庫標準紀錄(Library Standard Note)SN/PC/05127"議員行為守則——近期的修改"("The Code of Conduct for Members - recent changes")。

議員個人利益的披露

現時的情況

12. 《議事規則》第83A條訂明，在立法會或任何委員會或小組委員會會議上，議員不得就其有直接或間接金錢利益的事宜動議任何議案或修正案，或就該事宜發言，除非該議員披露有關利益的性質。一如上文第4段所述，登記指引已提醒議員，登記個人利益不能取代第83A條規定議員須作的利益披露。

歷史背景

13. 在1999年4月28日通過一項決議之前，若某在席議員就審議的事宜有直接金錢利益，即使他或她不打算發言或作出表決，亦須申報其利益。海外立法機關基本上只規定在會議上發言的議員才須申報其直接金錢利益。考慮到這些海外立法機關的做法，議員同意修改有關規則，以反映此原則，而立法會於1999年4月28日通過了有關決議。

行政會議的做法

14. 在行政會議，成員有個人責任檢視行政會議所討論的事項有否涉及其個人利益，並在行政會議討論有關項目前作出申報。行政長官會根據所申報的利益，考慮成員就行政會議審議的事項是否有潛在或實際的利益衝突，並決定成員應參與討論或必須避席⁴。此外，根據《政治委任制度官員守則》，身為政治委任官員的行政會議成員在執行公職時，如個人利益可能會影響，或被視為會影響他們的判斷，均須向行政長官報告。如發現政治委任官員的投資或利益跟他或她的公職有或似乎有利益衝突時，行政長官可要求有關官員採取多項措施，包括避免處理確實有利益衝突或可能有利益衝突的個案⁵。

英國下議院的做法

15. 在英國下議院，議員在辯論中發言時，必須披露任何相關的財務利益，其提供的資料須足以讓聽取申報的人可瞭解有

⁴ 行政長官辦公室為政制事務委員會2010年11月15日會議擬備題為“行政會議成員的利益申報制度”的文件(立法會CB(2)239/10-11(07)號文件)。

⁵ 政制及內地事務局為政制事務委員會2009年11月16日會議擬備題為“行政長官及政治委任官員申報利益的制度”的文件(立法會CB(2)244/09-10(03)號文件)。

關利益屬何性質，但該議員可自行決定是否提及其已登記的利益或作出更詳細解釋。除現有的個人利益外，議員須同時申報相關的過往利益，以及預計將來可能會擁有的相關利益。實際上，通常於近期持有的利益(即在剛過去的12個月之內持有的利益)才視為需要申報。另一方面，預計的日後利益可能更為重要。舉例而言，當議員辯論法例或就某事宜向大臣作出陳述時，如議員有合理期望可從該法例或事宜中獲得個人財務實利，則該議員必須坦誠交代。議員亦須申報相關的間接利益，例如配偶或合夥人的利益，以及財務性質的無須登記的個人利益，不論這些利益會否受到有關議事程序的影響(例如議員如擁有第二個家居，必須在討論有關這方面的稅務事宜時作出申報)⁶。然而，議員無須申報全體議員均享有，以及純粹因其議員的特定身份而獲提供的利益。舉例而言，在有關僱傭法例的辯論中，就議員純粹為其國會職務而聘請的員工，議員無須就這個僱主身份申報利益⁷。

16. 根據1995年7月19日的決議，議員在向議會辦公室(Table Office)、公共法案辦公室(Public Bill Office)或私人法案辦公室(Private Bill Office)提交書面通知，以展開有關提出質詢、早期動議及提交法案等程序時，必須在議事程序表(或預告文件)上申報相關利益(relevant interests)。當有議員為此申報利益時，在議事程序表上有關議員的名字之後便會加上[R]的符號，標示該議員已申報相關利益。應申報的相關利益，包括議員須在議員財務利益登記冊(Register of Members' Financial Interests)登記或議員應在辯論中申報的任何個人利益。若情況並非如此，或如有關利益為新的個人利益，該議員在發出通知時，應在該通知中夾附正要申報的個人利益的簡短書面描述。有關的描述會由接收通知的辦公室備存供其他議員查閱。如下議院批准緊急質詢，有相關利益的議員應在該質詢於下議院提出時申報該項個人利益⁸。

⁶ 英國國會下議院《有關議員行為守則的指引》(Guide to the Rules relating to the conduct of Members)第73段(2009年)(2010年5月更新)。

⁷ 英國國會下議院《有關議員行為守則的指引》第75段(2009年)(2010年5月更新)。

⁸ 英國國會下議院《有關議員行為守則的指引》第78至79段(2009年)(2010年5月更新)。

與個人利益、工作開支或營運資金有關的處分

現時的情況

17. 《議事規則》第85條訂明的包括：任何議員如不遵從《議事規則》第83A條披露金錢利益的規定，可由立法會藉訓誡或譴責，或暫停職務或權利的議案加以處分。

英國下議院的做法

18. 在英國下議院，如針對議員的投訴成立，可要求被投訴的議員向下議院公開道歉。在較嚴重的個案中，可施加處分，包括在指定期間扣發議員薪金(但無須暫停議員職務或權利)，或在指定期間暫停議員職務或權利(並扣發薪金)。在非常特殊的情況下，被投訴的議員可被開除出下議院。無論是扣發議員薪金、暫停議員職務或權利、或開除議員的建議，均須經過下議院辯論及通過⁹。

19. 在初步調查期間，如被投訴的議員已承認沒有登記或申報某項個人利益，或所涉及的個人利益輕微，又或議員沒有登記或申報只屬無心之失，該議員可透過《會議常規》第150條所載的更正程序更正資料¹⁰。如屬沒有登記個人利益的個案，更正程序規定議員須把補交的資料載入議員財務利益登記冊，並附以適當註釋；如屬沒有披露利益的個案，更正程序規定議員須透過議事規程或介入相關辯論，向下議院致歉¹¹。

監察委員會委員及其他議員就議員個人利益的登記和申報所提出的意見／關注

20. 在今屆立法會任期，監察委員會曾考慮數宗有關議員並無遵從個人利益登記及披露規定的投訴，並就該些投訴向立法會提交了3份報告。因應這些投訴，以及立法會在2011年7月13日會議上就"有關金錢利益程序規則的事宜"的議案進行辯論期間，當議員辯論到就《議事規則》第83A條而言應以哪些原則看

⁹ 《國會事務說明第三冊》(Parliamentary Note 3)第35段。

¹⁰ 自2002年起，國會標準事務專員可酌情容許議員更正沒有登記或申報個人利益的輕微違規事項，而無須向標準及特權事宜委員會全面匯報。2005年，此更正程序的適用範圍擴展至涉及國會津貼和使用下議院設施及服務的個案。

¹¹ 英國國會下議院《有關議員行為守則的指引》第108段(2009年)(2010年5月更新)。

待董事職位(附錄III)時，監察委員會委員及其他議員提出了與現行登記及披露議員個人利益的制度相關的多項意見和關注，詳情載於下文第21至31段。

登記個人利益

21. 《議事規則》第83(5)(c)條所述有關"客戶"的登記，應涵蓋所有專業，除非披露有關資料會違反任何有關私隱或保密的法律或既定專業責任。

22. 在按照《議事規則》第83(5)(g)條的規定登記"土地及物業"時，應登記較詳細的資料，例如應提供物業的性質和位置。此外，由於在法律上土地可視為其中一類物業，所以"土地"一詞可以刪去。

23. 在登記股份及董事職位的利益時，應提供更多資料，例如取得股份及擔任董事職位的日期、終止擁有股份及擔任董事職位的日期，以及逾期登記和逾期取消登記這些利益的理由。

24. 登記表格要求填報的資料不應超越《議事規則》第83條的規定。舉例而言，根據第83(5)(a)條，"受薪董事職位"這項須予登記的個人利益，指公共或私營公司的受薪董事職位，以及如有關公司屬《公司條例》(第32章)所指的另一間公司的附屬公司，亦指該另一間公司的名稱。然而，按照登記表格就第一類"董事職位"所列的註釋，議員應簡略說明每間公司的業務性質，以及若他們為某集團的受薪董事，則應登記在同一集團的附屬或聯營公司擔任的所有董事職位，無論是否受薪。

披露個人利益

25. 《議事規則》第83A條並無載列直接及間接金錢利益的定義，令議員難以判斷，他們在有關會議所審議的事宜中是否有此條文所述的直接或間接的金錢利益。

26. 雖然議員大致上明白到，他們在委員會席前就某事宜發言之前，必須披露其在該委員會審議的事宜中所擁有的直接或間接金錢利益的性質，然而，立法會應就披露個人利益的時間提供更佳指引。舉例而言，議員如在商議相同事宜的同一委員會的先前會議上披露了某項利益，是否被當作已披露了相關個人利益，這點則並不清晰。

27. 《議事規則》第83A條應擴大範圍，規定議員在立法會轄下委員會所審議的事宜中，如合理地預期有金錢利益，便必須披露其利益。

28. 規定擔任公司非執行董事的議員須披露來自該公司旗下附屬公司的個人利益，實際上並不合理可行。雖然在法律上非執行董事與執行董事並無區分，但非執行董事並不參與公司的日常管理工作。因此，期望議員採取步驟，以瞭解其擔任非執行董事的公司是否在立法會轄下委員會所審議的事宜中是否擁有金錢利益，這並不合理，而非執行董事更是沒有職權或職責去瞭解其擔任非執行董事的公司旗下附屬公司的最新業務活動情況。

29. 如要上文第28段所述的規定可行，最多也只應規定議員須披露來自其擔任非執行董事的公司旗下主要附屬公司的利益。

與個人利益、工作開支或營運資金有關的處分

30. 未有按照《議事規則》第83A條的規定在立法會或立法會轄下任何委員會披露金錢利益的嚴重性，應視為比沒有按照第83條的規定登記／遺漏登記須予登記的個人利益較輕微的過失，因為議員獲給予充足時間決定哪些個人利益須按照第83條的規定登記，但他們在委員會會議上發言或作出表決前，卻未必有充足時間決定是否須申報個人利益。

31. 《議事規則》第85條就違反個人利益登記或披露規定所訂的現行處分應予擴大，以包括對性質較輕微的違規事件採取較輕的懲罰形式，例如在一些情況下，違規情況屬於輕微，及不存在明顯有意違規，又或屬無心之失。

考慮事項

32. 因應上文第21至31段載述議員的意見和關注，以及參考過英國下議院的做法，謹請委員考慮下列事項：

- (a) 應否擴闊登記個人利益的範圍，以及應否登記更詳細的資料，以確保登記制度可使公眾對立法會的誠信繼續保持信任及信心。舉例而言，關於登記"董事職位"、"受薪工作及職位等"及"客戶"這等須予登記的個人利益，應否規定議員必須提供所收取的

薪酬的確實款額、為取得該筆薪酬而進行的工作的性質，以及有酬期間內的工作時數；

- (b) 就按照《議事規則》第83A條的規定作出利益披露而言，應否重新研究監察委員會對於應以哪些原則看待董事職位所提出的意見(載於附錄III)；
- (c) 應否修訂第83A條，以規定議員在立法會轄下委員會所審議的事宜中，如合理地預期有金錢利益，便須披露其金錢利益；
- (d) 應否制訂一套更詳細的指引，以取代現有的個人利益登記指引，從而更有效地協助議員遵從《議事規則》第83條，以及該新的指引應否交由立法會通過。就英國下議院而言，填寫議員財務利益登記表格 (Registration Form on Members' Financial Interests)的詳細指引載於《有關議員行為守則的指引》，而該指引是經下議院通過的；
- (e) 應否在立法會及立法會轄下任何委員會的議事程序中，採取英國下議院的做法(見上文第16段)，即除了在辯論中申報個人利益外，亦可在議事程序表上申報個人利益；及
- (f) 應否修訂第85條(與個人利益、工作開支或營運資金有關的處分)，以涵蓋較輕的懲罰形式，包括應否引入上文第19段所述的"更正程序"，以處理一些議員已承認未有登記或申報個人利益，而所涉及的利益輕微，又或未有登記或申報實屬無心之失的個案。

委員的意見

33. 謹請委員察悉有關議員個人利益的登記及披露規定的背景(上文第2至19段)，以及議員就此課題表達的多項意見和關注(上文第21至31段)，並考慮上文第32段所載的事項。

立法會秘書處
議會事務部3
2012年1月4日

就有關議員個人利益登記的規則作出的修訂

就有關議員個人利益登記的《會議常規》和《議事規則》曾作出並依然適用的修訂概述如下：

- (a) 英國下議院的議員個人利益專責委員會(Select Committee on Members' Interests)在其於1992年3月發表的報告中，就登記及申報財務利益提出的其中一項建議，是合併兩項須予登記個人利益的類別，即"接受薪酬的工作或職位"與"接受薪酬的行業、專業或職業"合併為一個類別。前立法局參照此項建議，把相同的兩類須予登記個人利益合併為"接受薪酬的僱傭關係、職位、行業、專業或職業"，以去除原先兩個類別之間人為的區分(經修訂的《會議常規》第64A(4)(b)條於1994年5月4日獲前立法局通過，成為現行《議事規則》第83(5)(b)條)；
- (b) 英國下議院的議員個人利益專責委員會在其於1992年3月發表的報告中，就登記及申報財務利益提出的其中一項建議，是議員必須登記其配偶因其下議院議員的身份而接受的有關款待、饋贈及海外訪問的利益。前立法局參照此項建議，規定議員亦必須登記其配偶因其立法局議員的身份而接受的有關"財政贊助"、"海外訪問"、"任何款項或實惠或實利"等利益(經修訂的《會議常規》第64A(4)(ii)、(f)及(g)條於1994年5月4日獲前立法局通過，成為現行《議事規則》第83(5)(d)(ii)、(e)及(f)條)；
- (c) 鑒於議員已須就其土地及物業作詳細的申報，而不論有關土地或物業是否有重大價值或會為議員帶來重要收入，因此"有重大價值或為重要收入來源"的字眼亦從"土地及物業"這項須予登記的個人利益中刪去(經修訂的《會議常規》第64A(4)(h)條於1994年5月4日獲前立法局通過，成為現行《議事規則》第83(5)(g)條)；
- (d) 關於議員或其配偶所收受的"款項、實惠或實利"，以"因其議員身份從(i)香港以外的政府或組織；或

- (ii)非香港永久性居民的人士所收受或代表上述政府、組織或人士所收受的"取代"代表外國政府、組織或人士所收受的",藉以涵蓋議員或其配偶從中國大陸其他地區(包括臺灣和澳門)所收受的"款項、實惠或實利",同時說明外國人是根據《入境條例》(第115章)其"香港永久性居民"的身份是不能被確立的人士(經修訂的《會議常規》第64A(4)(g)條於1997年4月12日獲臨時立法會通過,並於1998年7月2日獲立法會通過,成為現行《議事規則》第83(5)(f)條);
- (e) 把議員向立法會秘書登記其須予登記的個人利益的期限,由"不得遲於每一會期首次會議舉行之前7天"改為"不得遲於每屆任期舉行首次會議當天",讓議員有充足時間完成登記須予登記的個人利益(經修訂的《議事規則》第83(1)條已於1999年4月28日獲立法會通過);
- (f) 以議員必須登記其作為立法會選舉候選人時所收取的所有捐贈的規定,取代下述規定:議員必須登記收取的財政贊助,而該等贊助是某議員"作為立法局選舉候選人時,據該議員所知超過10,000元或其選舉開支25%的贊助"。這項新規定旨在令《議事規則》的規定,與當時的《舞弊及非法行為條例》(第288章)的規定一致(該條例已被廢除,並於2000年2月16日重新制定為《選舉(舞弊及非法行為)條例》(第554章))(經修訂的《議事規則》第83(5)(d)(i)條已於1999年4月28日獲立法會通過);及
- (g) 規定議員如擔任另一間公司旗下附屬公司的受薪董事,亦須登記該另一間公司的名稱,以收緊受薪董事職位的登記規定(經修訂的《議事規則》第83(5)(a)條已於2006年4月26日獲立法會通過)。

立法會秘書處
議會事務部3
2012年1月4日

香港立法會、香港行政會議與英國國會下議院的 議員個人利益登記規定的比較

下列所作的比較，是根據：

- 香港立法會的議員個人利益登記表格(附件 1)；
- 香港行政會議成員每年須登記的個人利益表格(附件 2)；及
- 英國國會下議院的議員個人財務利益登記表格及有關議員登記財務利益的指引(附件 3)(只有英文版)

(1) 董事職位

所須登記的利益	立法會 ⁱ	行政會議 ⁱⁱ	英國下議院 ⁱⁱⁱ
公共或私營公司的受薪董事職位	須要	須要	須要
以法團名義出任董事的受薪董事職位	須要	須要	無此條文
若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位(無論是否受薪)	須要	須要	須要
在"沒有商業活動" ^{iv} 的公司擔任的董事職位	無此條文	無此條文	不須要
公司名稱	須要	須要	須要
公司地址	不須要	不須要	須要
公司業務性質	須要	須要	須要
所收取的每筆酬金準確款額	不須要	不須要	須要 ^v
與酬金有關的工作性質	不須要	不須要	須要
就收取的酬金的工作時數	不須要	不須要	須要
付款者名稱及地址(如非有關公司)	不須要	不須要	須要 ^{vi}

i 包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。"實惠"是指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬5%的利益；或(ii)一次過收受價值超過10,000港元的實惠。

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- ii 包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。
 - iii 包括所有獲得薪金、收費或任何涉及應課稅開支、津貼或利益(例如提供公司車輛)的董事職位。
 - iv "沒有商業活動"是指一間公司尚未展開商業活動或已停止商業活動，以及除法律規定維持該公司存在所須的交易以外，該公司再沒有進行任何額外交易。
 - v 規定以其國會議員身份提供服務的議員，也必須以每5,000英鎊作為一個薪酬組別的形式來登記其每年薪酬，並須把有關的服務協議交予國會標準事務專員辦事處 (Office of the Parliamentary Commissioner for Standards)存放，以供公眾查閱。
 - vi 規定國會議員必須登記付款者的名稱及地址，除非披露有關資料會違反任何有關私隱或保密的法律或既定專業責任。

(2) 受薪工作及職位等

所須登記的利益	立法會 ⁱ	行政會議 ⁱ	英國下議院 ⁱⁱ
工作名稱	須要	須要	須要
工作地址	不須要	不須要	須要
有關工作的業務性質	須要(若所登記的為公司)	須要(若以顧問身份擔任受薪職位)	須要
所收取的每筆酬金準確款額	不須要	不須要	須要 ⁱⁱⁱ
就收取的酬金的工作時數	不須要	不須要	須要
付款者名稱及地址	不須要	不須要	須要 ^{iv}

- i 凡獲得薪金、酬金、津貼或其他實惠的工作、職位、行業或專業或職業(其立法會議員／行政會議成員職位除外)，均屬受薪性質。就立法會而言，"實惠"是指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬5%的利益；或(ii)一次過收受價值超過10,000港元的實惠。
- ii 規定國會議員必須登記獲得薪金或財務利益的工作、職位、行業、專業或職業(下議院議員或部長職位除外)。
- iii 規定國會議員如以其國會議員身份定期提供服務，也必須以每5,000英鎊作為一個薪酬組別的形式來登記其收入，並必須把有關的服務協議交予國會標準事務專員辦事處存放，供公眾查閱。
- iv 規定國會議員必須登記付款者的名稱及地址，除非披露有關資料會違反任何有關私隱或保密的法律或既定專業責任。

(3) 客戶

所須登記的利益	立法會	行政會議	英國下議院
在第(1)類"董事職位"或第(2)類"受薪工作及職位等"的任何受薪職位中有向客戶提供服務	須要 ⁱ	須要 ⁱⁱ	須要 ⁱⁱⁱ
客戶名稱	須要	須要	須要
客戶地址	不須要	不須要	須要
客戶業務性質	須要	不須要	須要
所收取的每筆酬金準確款額	不須要	不須要	須要
與酬金有關的工作性質	不須要	不須要	須要
就收取的酬金的工作時數	不須要	不須要	須要
付款者名稱及地址	不須要	不須要	須要 ^{iv}

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- i 規定立法會議員須登記由於其立法會議員身份或因該身份的關係而有需要向客戶提供服務的相關詳情。議員也須登記由他們身為合夥人、董事、僱員或職員的組織所提供服務的客戶。就這類須予登記的利益來說，議員有責任登記所知的利益。議員毋須找出所屬組織提供受薪服務的所有客戶的名稱。
- ii 規定行政會議成員必須登記由他們所提供的個人服務的客戶，而這些個人服務是因其行政會議成員身份而引致，或與這個身份有任何形式的關係；惟行政會議並無指明成員應登記透過其公司提供服務的客戶。
- iii 規定國會議員須登記所有他們提供服務的客戶，不論有關客戶服務是否因其國會議員身份而產生或是否與其國會議員身份相關。
- iv 規定國會議員必須登記付款者的名稱及地址，除非披露有關資料會違反任何有關私隱或保密的法律或既定專業責任。

(4) 選舉捐贈／財政贊助／禮物等

所須登記的利益	立法會	行政會議	英國下議院
(a) 選舉捐贈			
與議員參選該議會直接有關的捐贈	須要 ⁱ	不適用	須要 ⁱⁱ
為議員參選其他選舉作出的捐贈	不須要	不適用	須要
捐贈人名稱	須要 ⁱⁱⁱ	不適用	須要
捐贈者地址	須要 ⁱⁱⁱ	不適用	須要
有關款額	須要	不適用	須要
(b) 財政贊助			
與其議員身份相關的	須要 ^{iv}	須要	須要 ^v
由議員配偶收受的	須要	須要	不須要
贊助人名稱	須要	須要	須要
贊助人地址	不須要	不須要	須要
有關贊助的詳情	須要 ^{vi}	須要 ^{vii}	須要 ^{viii}
(c) 禮物、利益及款待			
與其議員身份相關的	無此類別	須要 ^{ix}	須要 ^x
與議員的政治活動相關的	無此類別	不須要	須要
由議員配偶收受的	無此類別	須要	須要

i 規定立法會議員必須登記他們在當選為立法會議員的選舉中，以候選人身份或由任何人代表其收取的所有捐贈，而該等捐贈的目的是為支付議員的選舉開支。

ii 規定國會議員必須登記由他們所屬的政黨或組織收受，與他們參選下議院或其他非國會選舉直接有關，及來自單一來源、一年內超過1,500英鎊的捐贈，不論該捐贈屬單一次捐贈或屬多次超過500英鎊的捐贈。在上一屆議會尚未就任的議員應登記所有捐贈。此外，捐贈應收受自法例訂明的許可來源(例如已在英國選民登記冊登記的個別人士、英國的註冊組織等)。

iii 立法會議員只需附上其根據《選舉(舞弊及非法行為)條例》(第554章)第37(1)(b)條向有關選舉委員會提交的選舉申報書中關於選舉捐贈的部份，以提供有關捐贈者及選舉捐贈數額的詳情。在該申報書內，超過1,000港元的捐贈才須填報捐贈者的名稱及地址。

iv 立法會議員只須登記從所屬政治團體直接獲得的「財政贊助」利益，而這些須予登記的利益包括每月5,000港元或以上的現金資助。任何免費獲得或以低於市民一般須付的價格獲得的實惠或實利亦應包括在內。「實惠」指(i)立法會議員在一年內從單個來源收受超過其作為立法會議員每年薪酬5%的利益；或(ii)一次過收受價值超過10,000港元的實惠。

-
- v 規定國會議員必須登記其一年內以國會議員身份直接或間接從單一來源收受並超過1,500英鎊的財政或實質資助(例如免費或資助住宿或服務等)，不論有關贊助是否單一次或屬多次超過500英鎊的贊助。
 - vi 如捐贈人為公司，立法會議員應簡述其業務性質。
 - vii 行政會議成員應提供如有關提供贊助的組織的名稱及其性質的資料。
 - viii 規定國會議員必須登記捐贈款額、性質及價值(若捐贈屬實物)及接受捐贈的日期。
 - ix 規定行政會議成員必須登記與其行政會議成員身份有關而收受價值2,000港元或以上的禮物的詳情；在登記時須填交一份《接受贊助及禮物申報表》，以提供收受禮物的日期和場合及該禮物處置方式。為保障私隱，他們應在另一機密表格申報禮物的來源。
 - x 規定國會議員必須登記由該議員本人，或其配偶，或該議員及其配偶擁有控制權益的公司所收受以及與其國會議員身份或政治活動有關的禮物或實惠(例如款待)，而其價值超過現行國會年薪的1%(在2010年4月1日約為660英鎊)。

(5) 海外訪問

所須登記的利益	立法會	行政會議	英國下議院
議員進行的海外訪問(有關費用並非悉數自付或由公帑支付)，而該訪問是與其議員身份有關或由於其議員身份而衍生	須要	須要	須要 ⁱ
議員的配偶進行的海外訪問(有關費用並非悉數自付或由公帑支付)，而該訪問是與議員身份有關或由於其議員身份而衍生	須要	須要	須要
訪問目的	須要	須要	須要
贊助者名稱	須要	須要	須要
贊助者地址	不須要	不須要	須要
訪問日期	須要	並無指明 ⁱⁱ	須要
訪問國家	須要	並無指明 ⁱⁱ	須要
收受利益的性質	須要 ⁱⁱⁱ	須要	須要
有關的贊助款額	不須要	並無指明 ^{iv}	須要

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- i 如海外訪問的費用超過現行國會年薪的1%(在2010年4月1日約為660英鎊)，則國會議員須登記該等訪問。
- ii 行政會議成員必須提供海外訪問的詳情，例如訪問目的、贊助者名稱及所接受的利益的性質。雖然沒有明文規定行政會議成員必須提供訪問的日期及國家，但預期行政會議成員在登記海外訪問的詳情時，會一併提供這些有關訪問的基本資料。
- iii 規定立法會議員必須註明有關利益是否與提供旅費、住宿及／或膳宿津貼有關。
- iv 雖然沒有明文規定行政會議成員必須登記海外訪問涉及的捐贈數額，但他們登記訪問的詳情時，可提供這項資料。

(6) 從海外收受的款項、實惠或實利

所須登記的利益	立法會	行政會議	英國下議院
議員因其議員身份從海外機構或非本地人士收受的款項、實惠及實利	須要 ⁱ	須要	須要 ⁱⁱ
由議員配偶收受	須要	須要	須要
由議員擁有控制權益或持有最多股份的公司所收受	須要	不須要	不須要
利益詳情	須要	須要	須要
捐贈者名稱	並無指明 ⁱⁱⁱ	並無指明 ⁱⁱⁱ	須要
捐贈者地址	並無指明 ⁱⁱⁱ	並無指明 ⁱⁱⁱ	須要

- i 規定立法會議員必須登記他們或其配偶，因其立法會議員身份的關係，從香港以外的政府或組織收受或代表該等政府或組織收受的款項、實惠或實利，或從沒有資格獲得"香港永久性居民"身份的人士收受的款項、實惠或實利。就此方面，"實惠"指(i)議員在一年內從單個來源收受超過其作為立法會議員每年薪酬5%的利益；或(ii)一次過收受價值超過10,000港元的實惠。如議員擁有一間公司的控制權益，或持有該公司的最多股份，則該公司所收受的款項或實惠亦和議員本身所收受的款項或實惠一樣，包括在所收受的款項或實惠內。
- ii 規定國會議員必須登記因其下議院議員身份的關係，從海外公司、組織或人士收受或代表該等公司、組織或人士收受的價值超過國會年薪的1%(在2010年4月1日約為660英鎊)的禮物或利益。再者，根據英國的《2000年政黨、選舉及全民投票法令》(Political Parties, Elections and Referendums Act 2000)，國會議員不許從海外來源收受與其政治活動("海外訪問"類別所涵蓋的政治活動除外)有關聯並價值超過500英鎊的利益。此外，法例亦禁止國會議員從不許可捐獻者(例如沒有在英國註冊的公司或政黨等)或不能辨別身份的人士收受捐贈。
- iii 立法會議員及行政會議成員必須提供從海外收受的款項、優惠及利益的詳情。雖然沒有明文規定他們必須提供贊助者的名稱或地址，但他們提供從海外收受的款項的詳情時，可提供這項資料。

(7) 土地及物業

所須登記的利益	立法會	行政會議	英國下議院
議員的唯一或主要居所	不須要 ⁱ	須要	不須要 ⁱⁱ
其他家居(供議員的配偶或受供養子女居住)	並無指明 ⁱⁱⁱ	並無指明 ^{iv}	不須要 ⁱⁱ
議員擁有的土地或物業	須要	須要	須要 ^v
土地或物業由他人或公司名義持有，但實際由議員所有	須要 ^{vi}	須要	不須要
非由議員所持有的土地或物業，但議員從有關土地或物業中獲得利益	須要 ^{vii}	須要	無此條文
大概的位置(無須提供詳細地址)	須要 ^{viii}	須要	須要 ^{ix}
土地或物業性質	須要	並無指明	須要 ^{ix}
註明有否從土地或物業收取租金收入	並無指明 ^x	並無指明 ^x	須要

i 除非立法會議員從該物業獲得收入。

ii 除非國會議員從該物業獲得收入。

iii 雖然沒有明文規定立法會議員必須登記其他家居(供其配偶及受供養的子女居住)，但預期他們應登記其他居所，因只有議員在香港的唯一及主要居所才獲豁免登記。

iv 雖然沒有明文規定行政會議成員必須登記其他家居，但預期他們應登記其他家居，因即使自住物業亦不獲豁免登記。

v 規定國會議員必須登記他們擁有、具有實質價值(即價值超過議員現有國會年薪，在2010年4月1日約為66,000英鎊)的任何土地或物業。如議員的整體物業組合(主要及其他家居除外)具有實質價值，應予以登記。此外，如議員的整體物業組合(包括主要及任何其他家居)為其帶來的收入達相當數額(即超過國會年薪的10%，約為6,600英鎊)，則所有為其帶來任何收入的物業均應予以登記。

vi 立法會議員亦必須登記透過公司或其他人士間接持有的土地或物業。如土地或物業透過公司持有，凡議員持有該公司的控制權或超過50%的股份，即須予以登記。如土地或物業透過其他人士持有，凡議員可透過該名人士處置該土地或物業，或從中獲得任何金錢利益，亦須予以登記。議員以受託人身份持有但並無自主處置權的土地或物業(例如：議員為代名人、受託人或保管人)，無須予以登記。

vii 規定立法會議員如在香港或其他地方擁有任何土地或物業，而議員有權對該土地或物業作出處置，或從中獲得任何金錢利益，均須予以登記。

viii 規定立法會議員必須列明物業的所在地，例如"在港島擁有物業"或"在香港、加拿大及英國擁有物業"。

ix 規定國會議員必須就土地或物業的性質及其大概位置填報合理地明確的資料，例如"位於佩思郡的林地"、"位於威爾特郡的乳牛場"及"位於曼徹斯特的3個商住出租物業"等。

x 沒有明文規定立法會議員及行政會議成員必須表明他們有否從其登記的土地或物業獲得租金收入。

(8) 股份

所須登記的利益	立法會	行政會議	英國下議院
議員(本人或連同配偶或未成年子女,或本人代表配偶或未成年子女)持有任何公共或私營公司面值超過已發行股本" X "%的股份	$X=1\%$	$X=1\%$ ⁱ	15%; 或少於15%,但價值(截至上一個4月5日或根據議員的估計)超過現有國會年薪(在2010年4月1日約為66,000英鎊)。
"沒有商業活動" ⁱⁱ 的公司的股份	無此條文	無此條文	不須要
公司名稱	須要	須要	須要
公司業務性質	須要	不須要	須要
以個人投資養老金形式持有的股份	無此條文	無此條文	須要

i 此外,行政會議成員在委任之初及其後每一年,須以保密形式向行政長官申報更詳細的財務利益,包括成員本人或連同配偶或子女或其他近親所持有的公司股份(不論持股數量),以及期貨或期權合約。上述利益如有變更,以及成員進行超過20萬港元的貨幣交易,應在兩個交易日內通知行政會議秘書。

ii "沒有商業活動"是指一間公司尚未展開商業活動或已停止商業活動,以及除法律規定維持該公司存在所須的交易以外,該公司再沒有進行任何額外交易。

(9) 其他及另外的類別

所須登記利益的類別	立法會	行政會議	英國下議院
其他(議員依據登記冊的目的認為須予登記的其他相關利益)	須要	無此類別	須要
透過議會津貼僱用及支薪的家庭成員	不須要 ⁱ	無此類別	須要 ⁱⁱ
與議員的政治活動有關的貸款／信貸安排(例如貸款、透支、為議員提供信貸保證等)	無此類別	無此類別	須要 ⁱⁱⁱ
公眾理解為屬須申報利益的理事會、委員會及其他機構的成員身份。	無此類別	須要	無此類別

i 立法會議員不可僱用其親屬為職員。此外，其親屬不應擁有受聘顧問公司的任何利益。

ii 規定國會議員如僱用家庭成員並透過國會津貼支薪，而該親屬所收取的酬金相等於或超過議員國會年薪的1%(在2010年4月1日約為660英鎊)，則有關議員必須登記該家庭成員的姓名、與其之間的關係及職銜。

iii 規定國會議員必須登記所有從法例訂明的許可來源取得的超過1,500英鎊並與其政治活動有關的貸款或信貸安排。法例禁止他們從不許可來源接受超過500英鎊的貸款或信貸安排。

立法會秘書處
議會事務部3
2012年1月4日

香港特別行政區 立法會



議員個人利益登記表格



2006年4月

類別

1. 董事職位
2. 受薪工作及職位等
3. 客戶
4. 選舉捐贈/財政贊助
5. 海外訪問
6. 從香港以外的政府或組織或非香港永久性居民的人士收
受的款項、實惠或實利
7. 土地及物業
8. 股份
9. 其他

議員姓名：_____

須予登記的個人利益

董事職位

1. 你有否擔任公共或私營公司的受薪董事職位？

有／否 (請刪去不適用者)

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

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

簽署：_____

日期：

須予登記的個人利益

受薪工作及職位等

2. 你有否從事獲發薪酬的工作、職位、行業、專業或職業(立法會議員一職除外)?

有／否

若有的話，請列出工作、職位、行業或專業的名稱。
若所列者為公司，請簡略說明其業務性質。

- 註：(a) 凡獲得薪金、酬金、津貼或其他實惠的工作、職位、行業或專業，均屬「受薪」性質。
- (b) 「實惠」一詞的定義，請參閱第1類別的註(b)。
- (c) 「受薪職位」包括所有「受薪」公職。
- (d) 議員若以顧問身份擔任受薪職位，應在登記冊內說明顧問工作的性質，例如：「管理顧問」、「法律顧問」等。

簽署：_____

日期：_____

客戶

- 有／否

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(b) 就這類須予登記的利益來說，議員有責任登記所知的利益。議員毋須找出所屬組織提供受薪服務的所有客戶的名稱。

簽署：_____

日期：

須予登記的個人利益

選舉捐贈/財政贊助

4(1)在獲選為立法會議員一事上，你有否獲得任何選舉捐贈(參看下文註(a))？

有／否

若有的話，請詳細列出每項選舉捐贈的捐贈人及數額(參看下文註(b))。

4(2)你或你的配偶有否由於你是立法會議員的關係，曾收受來自任何人士或組織的款項、實惠或實利(參看下文註(c)至(f))？

有／否

若有的話，請列出詳情。

註：(a) 「選舉捐贈」的涵義與該詞在《選舉（舞弊及非法行為）條例》（第554章）內的涵義相同。在該條例中，「選舉捐贈」指以下任何捐贈——

- (i) 為償付或分擔償付該候選人或該等候選人的選舉開支，而給予該候選人或該等候選人或就該候選人或該等候選人而給予的任何金錢；
- (ii) 為促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選，而給予該候選人或該等候選人或就該候選人或該等候選人而給予的任何貨品，包括由於提供義務服務而附帶給予的貨品；
- (iii) 為促使該候選人或該等候選人當選或阻礙另一名候選人或另一些候選人當選，而向該候選人或該等候選人或就該候選人或該等候選人而提供的任何服務，但不包括義務服務」。

(b) 在提供有關捐贈人及選舉捐贈數額的詳情一事上，議員可附上其根據《選舉（舞弊及非法行為）條例》（第554章）第37(1)(b)條向有關選舉委員會提交的選舉申報書中關於選舉捐贈的部份，但無須附上有關收據副本。

(c) 議員應向其配偶查詢所需資料，以便及早詳盡地登記有關財政贊助的利益。

(d) 「實惠」一詞的定義，請參閱第1類別的註(b)。

(e) 任何免費獲得或以低於市民一般須付的價格獲得的實惠或實利亦應包括在內。

(f) 如捐贈人為公司，請簡述其業務性質。

簽署：_____

日期：_____

須予登記的個人利益

海外訪問

5. 你或你的配偶有否因你是立法會議員的關係或由於你是立法會議員的身份，到海外訪問，而訪問的費用並非悉數自付或由本港的公帑支付？

有／否

若有的話，請提供下列詳情：

訪問日期及國家	訪問目的及贊助人姓名	收受利益的性質

註：(a) 議員應向配偶查詢所需資料，以便登記有關海外訪問的利益。

(b) 在「收受利益的性質」一欄，請註明有關利益是否與提供旅費、住宿及／或膳宿津貼有關。

(c) 「海外訪問」指包括所有在香港以外的訪問。

(d) 屬於這類別的利益應在訪問結束後14天內予以登記。

簽署：_____

日期：_____

須予登記的個人利益

從香港以外的政府或組織或非香港永久性居民的人士收受的款項、實惠或實利

6(1) 你或你的配偶有否因你是立法會議員身份的關係，從香港以外的政府或組織收受或代表該等政府或組織收受款項、實惠或實利？

有／否

若有的話，請列出詳情。

6(2) 你或你的配偶有否因你是立法會議員身份的關係，從根據《基本法》的規定無資格獲得「香港永久性居民」身份的人士收受或代表該等人士收受款項、實惠或實利？

有／否

若有的話，請列出詳情。

註：(a) 議員應向配偶查詢所需資料，以便登記屬於這類別的利益。

(b) 在海外所獲款待及旅遊方便應在第5類別欄內填寫。

(c) 議員登記個人利益指引內載有「香港永久性居民」的定義。

(d) 如議員擁有一間公司的控制權益，或持有該公司的最多股份，則該公司所收受的利益亦和議員本身所收受的款項或實惠一樣，包括在所收受的款項或實惠內。

(e) 「實惠」一詞的定義，請參閱第1類別的註(b)。

簽署：_____

日期：_____

須予登記的個人利益

土地及物業

7. 你在香港或其他地方是否擁有土地或物業？

有／否

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

- 註：(1) 根據規定，議員只須登記所擁有的土地或物業的一般性質，而無須列出該土地或物業的地址等詳細資料。
- (2) 除非議員在本港擁有的唯一或一所主要及經常性自住的居所亦為其帶來收入，否則無須登記。
- (3) 任何土地或物業，如議員有權作出處置，或從中獲得任何金錢利益，均須予以登記。議員擁有的土地或物業，不論是以其個人名義擁有或間接持有，例如透過公司或其他人士持有，均屬須予登記的個人利益。如土地或物業透過公司持有，凡議員持有該公司的控制權或超過百分之五十的股份，即須予以登記。如土地或物業透過其他人士持有，凡議員可透過該名人士處置該土地或物業，或從中獲得任何金錢利益，亦須予以登記。議員以受託人身份持有但並無自主處置權的土地或物業(例如：議員為代名人、受託人或保管人)，無須予以登記。

簽署：_____

日期：_____

須予登記的個人利益

股份

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

有／否

若有的話，請列出每間公司的名稱，並說明其業務性質。

註：(a) 無須登記持有股份的數量或價值。

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

(c) 議員有責任登記據他所知屬於這類別的利益。

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

簽署：_____

日期：_____

須予登記的個人利益

其他

9. 根據登記個人利益指引所述的目的，如你認為仍有一些個人利益應予公開，但這些利益並不在上述八類利益之內，請提供有關詳情。

簽署：_____

姓名：_____

日期：_____

行政會議成員每年須登記的個人利益

成員姓名：_____

須予登記的個人利益

內容

1. 公共或私營公司的受薪董事職位

[註：

- (a) 「受薪董事職位」包括所有獲得薪金、酬金、津貼或其他實惠的董事職位。
- (b) 請列出有關公司的名稱，並簡略說明每間公司的業務性質。
- (c) 本港及本港以外公司的受薪董事職位均須予以登記。
- (d) 以法團名義出任董事的受薪董事職位亦須予以登記。
- (e) 若為某公司的受薪董事，則在同一集團的附屬或聯營公司擔任的所有董事職位；無論是否受薪，亦須予以登記。]

註：如本表格沒有足夠空位填寫須登記的資料，行政會議成員可附加紙張填寫，但須在各附頁簽署。

須予登記的個人利益

內容

2. 受薪工作、職位、行業、專業等

[註：

- (a) 請說明工作、職位、行業或專業的名稱。
- (b) 凡獲得薪金、酬金、津貼或其他實惠的工作、職位、行業或專業，均屬「受薪」性質。
- (c) 「受薪職位」包括所有「受薪」公職。
- (d) 議員若以顧問身分擔任受薪職位，應在登記冊內說明顧問工作的性質，例如：「管理顧問」、「法律顧問」等。
- (e) 所有在香港及香港以外的受薪工作均須予以登記。]

須予登記的個人利益

內容

3. 如以上須登記的利益包括行政會議成員所提供的個人服務，而這些個人服務是因其行政會議成員身分而引致，或與這個身分有任何形式的關係，則請說明服務對象的姓名或名稱。
4. 在本港或本港以外地區擁有的土地及物業，包括用作自住者。以成員配偶、子女或其他人士或公司名義擁有的土地或物業，但實際由成員所有；或有關土地或物業雖非成員所有，但成員在其有實際利益（例如租金收入）者，均須申報。但毋須提供土地或物業的詳細地址。
5. 據行政會議成員所知，如其本人，或連同其配偶或子女，或代表其配偶或子女持有公司（包括上市和非上市者）或其他團體的實益股份，而這些股份的面值超過有關公司或團體已發行股本的百分之一，請說明公司或

須予登記的個人利益

內容

團體的名稱。

6. 公眾理解為屬須申報利益的
理事會、委員會或其他機構
(例如：香港總商會、地產
建設商會等)的成員身分。

日期：_____ 簽署：_____

致：行政會議秘書

接受贊助及禮物申報表

(A) 財政贊助及受贊助海外訪問

- (1) 你或你的配偶有否由於你是行政會議成員的關係，曾收受來自任何人士或組織的任何贊助、款項或實惠或實利？如有的話，請提供資料，例如有關組織的名稱及其性質。
- (2) 你或你的配偶有否因你是行政會議成員的關係或由於你是行政會議成員的身分，到海外訪問，而訪問的費用並非悉數自付或由本港的公帑支付？如有的話，請說明訪問目的，贊助者名稱和接受的利益的性質。
- (3) 你或你的配偶有否因你是行政會議成員身分的關係，從香港以外政府、組織或人士收受或作為其代表收受款項、實惠或實利？如有的話，請說明情況。

(B) 禮物(請參閱附註)

你接受價值超過港幣二千元的禮物應如下述申報：

1. 物品(請註明牌子名稱)
2. 接受日期
3. 場合(例如：學術講座、頒獎禮)
4. 身分(例如：主禮嘉賓)
5. 處置方式(例如：作紀念品保留、捐予慈善機構)

簽名：_____

成員姓名：_____

日期：_____

- 附註： 1. 親友饋贈或特別場合接受的禮物，或非行政會議成員也可按同等條件獲得的利益，不必申報。“親友”包括配偶、未婚夫妻、父母、繼父母、合法監護人、姻親、祖／外祖父母、曾／外曾祖父母、伯叔／姑父／舅父／姨丈、伯叔母／姑母／舅母／姨母、侄兒／侄女、外甥／外甥女、堂／表兄弟姊妹及配偶的兄弟姊妹等。“特別場合”包括生日、婚禮、周年紀念日、訂婚、受洗或行政會議成員作東的聚會、宴會等。
2. 為保障私隱起見，饋贈禮物予議員的人士／機構等應在附上機密表格申報。

Registration form on Members' interests in the House of Commons, the United Kingdom

General Election May 2010



The main purpose of the Register of Members' Financial Interests is to provide information of any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament. Registration of such interests is required under the Resolutions of the House of 22 May 1974, 28 June 1993, 6 November 1995, 24 July 1996, 14 May 2002, 9 February 2009 and 30 April 2009. For details of the information which is required to be registered, please refer first to the explanatory notes in each section of the form. Further, more detailed, guidance can be found in the *Guide to the Rules relating to the Conduct of Members* (available from the Vote Office and online). Copies of that document, and personal advice, can be obtained from the office of the Parliamentary Commissioner for Standards, House of Commons (Ext. 3277 or 0311). For advice about the permissibility of donations, please contact the Electoral Commission (020 7271 0616).

If there is not enough space in any section of this form for the information required, additional sheets may be attached to it; but each such sheet should carry the Member's signature.

Subsequent changes or additions to your entry must be notified to the Registrar within four weeks of any change occurring.

Name (*Block capitals, please*)

Constituency

IMPORTANT NOTES

1. Test for Registration

The test for registration is not whether actions in Parliament *will* be influenced by the interest, nor whether the interest provider *intended* to exercise influence, but **whether others might reasonably think** that this might be the case.

2. Agreements for the provision of services

In accordance with the Resolutions of the House of 6 November 1995 and 14 May 2002, the following rules must be observed when submitting entries under Categories 1, 2 and 3 of the Register.

Any Member entering into an agreement with an outside body which involves the provision of services in the capacity of a Member of Parliament (otherwise than for media work) must, in addition to making the appropriate entry in the Register, put such agreement into writing and deposit a copy of the agreement for the provision of services with the Parliamentary Commissioner for Standards who will make it available for public inspection.

The written agreement should indicate the nature of the services to be provided, should make it clear that Members are not required to take part in activities which fall within the definition of lobbying for reward or consideration (see paragraphs 89 to 101 of the *Guide to the Rules relating to the Conduct of Members*) and must specify the fees or benefits the Member is to receive in bands of up to £5,000; £5,001 to £10,000; and thereafter in bands of £5,000.

A Member undertaking media work (e.g. journalism, broadcasting, speaking engagements, media appearances, training) which is related to parliamentary affairs need not deposit a copy of an agreement with the Parliamentary Commissioner for Standards but must specify the fees or benefits received, in bands as above.

For guidance on the application of the rule regarding agreements for the provision of services, see paragraphs 66 - 71 of the *Guide to the Rules relating to the Conduct of Members*.

Category 1
(Directorships)

1. DIRECTORSHIPS

See paragraphs 19 to 23 of the Guide to the Rules.

Do you have, or expect to have, any remunerated directorships in any public or private company?

Yes ☐

No ☐

Please tick the appropriate box. If yes, please list the names and addresses of the companies in the details space below, briefly stating the nature of the business of the company in each case.

Notes: (i) Remuneration received in respect of work done in a Member's parliamentary capacity should be indicated in bands of up to £5,000; £5,001 to £10,000; and thereafter in bands of £5,000.

(ii) You should include directorships which are individually unremunerated but where remuneration is paid through another company in the same group.

(iii) In this Category and in other categories, "remunerated" should be read as including taxable expenses, allowances or other benefits.

Details

Name and address of company

Nature of business

Please list in respect of each payment:

The amount:

The nature of the work carried on in return for that payment:

The number of hours worked during the period to which that payment relates:

Name and address of person making the payment if different from above (you do not need to disclose these if doing so would infringe legal or established professional privilege):

Category 2

(Remunerated employment, office, profession etc)

2. REMUNERATED EMPLOYMENT, OFFICE, PROFESSION, ETC.

See paragraphs 24 to 26 of the Guide to the Rules.

Do you have, or expect to have, any employment, office, trade, profession or vocation (apart from membership of the House or ministerial office) for which you are remunerated or in which you have any financial interest?

Yes

☐

No

☐

Please tick the appropriate box. If yes, please set out the details below.

Notes: (i) Remuneration received in respect of work done in a Member's parliamentary capacity should be indicated in bands of up to £5,000; £5,001 to £10,000; and thereafter in bands of £5,000.

(ii) Membership of Lloyd's should be registered under this Category. If you register membership of Lloyd's you should also disclose the categories of insurance business which you are underwriting.

Details

Please list in respect of each payment:

Name and address of source of remunerated employment

Nature of the business

The amount:

The nature of the work carried out in return for that payment:

The number of hours worked during the period to which the payment relates:

The name and address of the payer (you do not need to disclose these where doing so would infringe legal or established professional privilege):

Note: Newly elected Members should register only payments received since 6 May 2010. Members who sat in the last Parliament are advised also to register payments received during the Dissolution.

Category 3
(Clients)

3. CLIENTS

See paragraphs 27 and 28 of the Guide to the Rules.

Please list here in respect of any paid employment registered in Category 1 (Directorships) and Category 2 (Remunerated employment, office or profession etc) any clients to whom you personally provide services or who have benefited from your advice.

Name and address of client You should also indicate the relationship to the relevant entry in Category 1 or Category 2.

Nature of business

Details

Please list, in respect of each payment:

The amount:

The nature of the work carried on in return for that payment:

The number of hours worked during the period to which that payment relates:

Name and address of person, organisation or company making the payment if different from above (you do not need to disclose this if it would infringe legal or established professional privilege).

Category 4
(Sponsorships)

4. SPONSORSHIPS

See paragraphs 29 to 36 of the Guide to the Rules.

4(a) Donations to your constituency association

Has any donation amounting to more than £1,500 (whether as a single donation or as multiple donations of more than £500) been received by your constituency party or association, or relevant grouping of associations, which was linked expressly to your candidacy or membership of the House?

Yes ☐

No ☐

If yes, please list your sponsor(s) in the details space below. Where a company is named as sponsor, please indicate briefly the nature of its business.

Please provide the following information:

(a) Donations to constituency party or association or grouping of associations linked to your candidacy at an election or to membership of the House

Details

Name of donor:

Address of donor (the address of individuals will not be published):

Amount of donation or nature and value if donation in kind:

Donor status:

Individual

Company

Other (please specify)

Please also confirm that your party has reported this to the Electoral Commission, or will do so in its next quarterly report.

Yes ☐

Category 4
(Sponsorships) - continued**4(b) Other sponsorship****See paragraphs 29 to 36 of the Guide to the Rules.****Do you benefit from any financial or material support as a Member of Parliament, other than as registered in 4(a), amounting to more than £1,500 annually from a single source?**Yes ☐No ☐

If yes, please give details below, including the name of the organisation or company providing the support. Where a company is named, please indicate briefly the nature of its business.

*Notes: (i) You should register here any source from which you receive any financial or material support as a Member of Parliament, either direct or indirect; for example the provision of free or subsidised accommodation, or the provision of the services of a research assistant free or at a subsidised salary rate.**(ii) Non-exempt political donations which you are required to report to the Electoral Commission should be registered here unless they fall more appropriately under another Category.***Details**

Name of donor:

Address of donor (the address of individuals will not be published):

Amount of donation or nature and value if donation in kind:

Date of receipt of donation:

Date of acceptance of donation:

Donor status:

Individual

Building society

Friendly society

Limited liability partnership

Registered party (other than own party)

Trade union

Unincorporated association

Company – with registration number

Is the donation one which will be reported by your party to the Electoral Commission as being made to a front-bench spokesperson?

Yes ☐No ☐*If the donation was from a trust or bequest, please ask for a separate form.*

Category 5
(Gifts, benefits and hospitality UK)

5. GIFTS, BENEFITS AND HOSPITALITY (UK)

See paragraphs 37-45 of the Guide to the Rules.

Have you, your spouse or partner or any other person received any gift, or any material benefit, such as hospitality, of a value greater than 1 per cent of the current parliamentary salary (£660 at 1 April 2010) from any company, organisation or person within the United Kingdom which in any way relates to your membership of the House or to your political activities?

Yes ☐

No ☐

If yes, please give details below

Notes:

- (i) You should include any hospitality given and services or facilities offered free or at a price below that generally available to members of the public.
- (ii) You should include not only gifts and material advantages received personally by you or your spouse or partner or other relevant person, but also those received by any company or organisation in which you (or you and your spouse or partner) have a controlling interest.
- (iii) Where hospitality which is provided to a Member also includes benefits received by another person together with or on behalf of yourself, the total value of the hospitality to all of those taking part should be counted towards the threshold for registration.
- (iv) Gifts and other benefits received from the same source in the course of a calendar year should be registered if their cumulative value is greater than 1 per cent of the current parliamentary salary.

Category 5
(Gifts, benefits and hospitality UK) – continued

Details

Name of donor:

Address of donor (the address of individuals will not be published):

Amount of gift or benefit or nature and value if benefit in kind:

Date of receipt of gift or benefit:

Date of acceptance of gift or benefit:

Status of person, organisation or company providing the benefit:

Individual

Building society

Friendly society

Limited liability partnership

Registered party (other than own party)

Trade union

Unincorporated association

Company – with registration number

If reporting a donation from a trust or bequest, please ask for a separate form.

Category 6
(Overseas visits)

6. OVERSEAS VISITS

See paragraphs 46 to 48 of the Guide to the Rules.

Have you or your spouse or partner made any overseas visits relating to or in any way arising out of your membership of the House¹ where the cost of the visit exceeded 1 per cent of the current parliamentary salary (£660 at 1 April 2010) and was not wholly borne by yourself or UK public funds?

Yes ☐

No ☐

Note: You are not required to register visits paid for or undertaken on behalf of Her Majesty's Government, the House of Commons or its Committees, the Commonwealth Parliamentary Association, the Inter-Parliamentary Union, the British American Parliamentary Group, the British-Irish Inter-Parliamentary Assembly, the European Parliament, the Council of Europe, the Western European Union, the Westminster Foundation for Democracy, the Nato Parliamentary Assembly or the OSCE Parliamentary Assembly, your own political party or an institution of the European Union or a political group of the European Parliament.

Please provide the following information:

Name of donor:

Address of donor (the address of individuals will not be published):

Amount of donation (if there is no commercial equivalent and you believe the value to be above £1,500, please provide an estimate of the probable value):

Destination of visit:

Date of visit:

Purpose of visit:

Is the donation one which will be reported by your party to the Electoral Commission as being made to a front-bench spokesperson?

Yes ☐

No ☐

¹ The Electoral Commission has requested that you should include here any overseas visit made in connection with your political activity.

Category 7
(Overseas benefits and gifts)

7. **OVERSEAS BENEFITS AND GIFTS**
See paragraph 49 of the Guide to the Rules.

Have you or your spouse or partner received any gifts or benefits of a value greater than 1 per cent of the current parliamentary salary (£660 at 1 April 2010), from or on behalf of any company, organisation or person overseas, which in any way relates to your membership of the House?

Yes ☐

No ☐

If yes, please give details below.

Note: *Benefits in the form of overseas hospitality and travel facilities should be entered under Category 6. Otherwise the notes under Category 5 apply here also. Under the Political Parties, Elections and Referendums Act 2000 Members may not receive benefits worth more than £500 from an overseas source, other than as covered in Category 6, in connection with their political activities. Advice on permissibility should be sought from the Electoral Commission.*

Please provide the following information:

Details

Name and address of donor

Category 8
(Land and property)

8. LAND AND PROPERTY

See paragraphs 50 to 53 of the Guide to the Rules.

- (a) Do you have any land or property, other than any home used for your personal residential purposes or those of your spouse or partner and dependent children, which is worth more than the current parliamentary salary (£66,000 at 1 April 2010)?

Yes ☐

No ☐

- (b) Do you receive rental income from any land or property to a total annual value greater than 10 per cent of the current parliamentary salary (£6,600 at 1 April 2010)?

Yes ☐

No ☐

If either of these applies, please indicate below the nature of all the property concerned (e.g. holiday cottage, estate, farm, smallholding, woodland, residential rented/leasehold property, commercial rented/leasehold property) and give the general location of the property in each case.

Note: (i) Any rental income received from property used for your personal residential use or that of your spouse or partner should be included in calculating whether you need to register under 8(b).

(ii) Property held in a self-invested personal pension should be registered here if it is worth more than the current parliamentary salary (£66,000).

Please provide the following information:

Nature of Property

Location

Whether Rental Income is Received

Yes ☐

No ☐

Category 9
(Shareholdings)

9. SHAREHOLDINGS

See paragraphs 54 to 59 of the Guide to the Rules.

Do you have (either yourself or with or on behalf of your spouse, partner or dependent children) interests in shareholdings in any public or private company or other body which are (a) greater than 15 per cent of the issued share capital of the company or body; or (b) 15 per cent or less of the issued share capital but worth more, at the previous 5 April, than the current parliamentary salary (£66,000 at 1 April 2010)?

Yes ☐

No ☐

If so, please list each company or body below, indicating in each case the nature of its business and whether your holding falls under sub-category (a) or (b) above.

Notes: (i) Shareholdings held by the Member's spouse or partner separately from the Member do not need to be registered.

(ii) Members having holdings in collective investment vehicles (eg unit trusts, ACVCs) should generally not register them, but should have regard to the purpose of the Register and make an entry under Category 11 if, for example, the vehicle is sector specific.

(iii) Members who benefit from trusts should follow the principle set out in paragraph (ii) above. Blind trusts should not be registered.

(iv) For the purposes of sub-Category 9(b) the appropriate value is that at the preceding 5 April. If the market value cannot be established, you should establish an estimated value and register on this basis.

(v) If a registered shareholding is disposed of, you may inform the Registrar of Members' Financial Interests of the date on which this is done and a note will be appended to the entry.

(vi) Share options should be indicated separately.

(vii) Identifiable shareholdings held in a self-invested personal pension should be registered here if worth more than the current parliamentary salary (£66,000).

Details

Name of company (or body):

Nature of company's business:

Is the shareholding 9(a) or 9(b) (see above)?

Category 10
(Loans)

10. LOANS AND OTHER CONTROLLED TRANSACTIONS

See also paragraphs 60 to 62 of the Code of Conduct and Guide to the Rules relating to the conduct of Members.

Loans, credit facilities and security given to Members of Parliament are regulated by the Political Parties, Elections and Referendums Act 2000 (PPERA). This means that when you enter into any of these transactions, you must check that you can accept it, record it and in certain cases, register it in the Register of Members' Financial Interests.

Any of the following in excess of £500 are loans in terms of PERA:

- loans of money
- credit facilities, such as credit cards and overdrafts
- connected transactions (securities), such as guarantees for a party's obligations to someone else

The term "loans" is used in the registration form to refer to all of these transactions.

Who can you enter into a loan with?

You must only accept loans from permissible lenders. Before you enter into a loan, you must make sure that the lenders are permissible, and that they will remain permissible for the whole term of the loan. Entering into a loan that is not permissible is a criminal offence. You should also carry out regular checks throughout the term of the loan to make sure that your lenders are still permissible.

How do you work out the value of a loan?

Type of loan	Value
A loan of money	The total amount you will borrow
A credit facility	The maximum amount you can borrow
A security (connected transaction)	The amount which the lender would be liable for if you default

If the loan allows any interest to be added to the total amount you borrow, you do not need to include this in the value of the loan.

What do you do if you have an impermissible loan?

If a lender is not permissible or if they become impermissible, the transaction is void.

It has no legal effect and you must pay back anything you owe to the lender, together with any interest you owe, immediately.

If you accepted a connected transaction, such as a guarantee, please call the Electoral Commission² straight away.

It will need to give you full advice on what you must do in your particular case.

How do you record impermissible loans?

For impermissible loans you must record:

- the same details as for a permissible loan
- details of how you dealt with the transaction. For example, how you repaid the loan.

You must report this to the Electoral Commission rather than the Registrar.

Which loans do you need to register in the Register of Members' Financial Interests?

All Members must register:

- all permissible loans over £1,500
- all permissible donations and loans that add up to over £1,500 from the same source in the same calendar year (aggregated donations and loans)
- changes to the details of loans that you have already registered
- all permissible donations and loans which:
 - are (or add up to) over £1,500
 - and come from a source that you have already registered in the same calendar year

NB all loans in excess of £500 must be checked for permissibility.

Registering new loans and changes to your existing loans

If you have new loans, or there are changes to your existing loans, you need to register them in the Register of Members' Financial Interests.

Details

Do you have a loan, credit facility or security that relates to your political activity?

Yes ☐

No ☐

Is the loan (a) from a permissible source and reportable to the Registrar?

or (b) from an impermissible source reportable to the Electoral Commission

² Contact details for the Electoral Commission: Tel 020 7271 0616, internet www.electoralcommission.org.uk, address Trevelyan House, 30 Great Peter Street, London SW1P 2HW.

If you have entered into a loan that does not have a connected transaction (such as a guarantee), please give details as follows. If there is a connected transaction, please contact the Electoral Commission.

The lender's name and address (as shown on the relevant register):

If the lender is a company, their registered company number:

The value of the loan:

The date the loan was entered into:

The date the loan is due to be repaid (or a statement that it is indefinite):

The rate of interest - or if the rate is variable, how it is going to be calculated:

Whether or not any security has been given for the loan:

Notes:

1. If the lender is an overseas elector, you must register their home address.
This is because their address will not appear on the electoral register.
2. If the lender is an unincorporated association, you must register the main office address.

Category 11
(Miscellaneous)

11. MISCELLANEOUS

See paragraphs 63 and 64 of the Guide to the Rules.

This category may be used for the registration of financial interests which do not obviously fall within any other category but which nonetheless fall within the main purpose of the Register and also for the registration of non-financial interests which you believe fall within the main purpose of the Register.

- Note: (i) There is no general requirement to register unremunerated interests, but such interests may be registered if a Member considers that they may be thought by others to influence his or her actions in a similar manner to a remunerated interest.*
- (ii) If a Member has solicited a donation to charity worth more than 1 per cent of the annual parliamentary salary (£660 as at 1 April 2010), the Member should consider registering it here.*

Details

Category 12
(Employment of family members)

12. EMPLOYMENT OF FAMILY MEMBERS

See paragraph 65 of the Guide to the Rules.

Family members employed and remunerated through parliamentary allowances.

Note: please also see restrictions imposed by the Independent Parliamentary Standards Authority on the employment of connected parties.

Is a member of your staff who is paid for from the parliamentary allowances related to you by blood, marriage or relationship equivalent to marriage? *You do not need to register this person if you pay such a person, in a year, less than 1% of the annual parliamentary salary (£660 at 1 April 2010).*

Yes ☐

No ☐

If yes, please state:

- a) the person's name
- b) their relationship to you
- c) their job title (see guidance issued by Independent Parliamentary Standards Authority)

I have received and read the Code of Conduct and the Guide to the Rules relating to the Conduct of Members.

Signature:

Date:

Please return this form to the Office of the Parliamentary Commissioner for Standards, House of Commons, London SW1A 0AA.

Registration form version May 2010

Extract from the Guide to the Rules relating to the Conduct of Members of
the House of Commons of the Parliament of the United Kingdom, 2009
(updated May 201)

1. Registration of Members' Financial Interests

Rules of the House

"Every Member of the House of Commons shall furnish to a Registrar of Members' Financial Interests such particulars of his registrable interests as shall be required, and shall notify to the Registrar any alterations which may occur therein, and the Registrar shall cause these particulars to be entered in a Register of Members' Interests which shall be available for inspection by the public."

(Resolution of the House of 22 May 1974, amended on 9 February 2009)

"For the purposes of the Resolution of the House of 22 May 1974 in relation of disclosure of interests in any proceeding of the House or its Committees, any interest declared in a copy of the Register of Members' Financial Interests shall be regarded as sufficient disclosure for the purpose of taking part in any division of the House or in any of its Committees."

(Part of the Resolution of the House of 12 June 1975, amended on 9 February 2009)

10. Under the Resolution agreed by the House on 22 May 1974, and under the Code of Conduct, Members are required to register their financial interests in a Register of Members' Financial Interests. The duty of compiling the Register rests with the Commissioner, whose functions are set out in Standing Order No. 150. The Commissioner is assisted by the Registrar.

Definition of the Register's purpose

11. The main purpose of the Register of Members' Financial Interests is "to provide information of any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament."² The registration form specifies twelve Categories of registrable interests which are described below. Apart from the specific rules, there is a more general obligation upon Members to keep the overall definition of the Register's purpose in mind when registering their interests.

12. The purpose of registration is openness. Registration of an interest does not imply any wrongdoing.

Duties of Members in respect of registration

13. Members of Parliament are required to complete a registration form and submit it to the Commissioner within one month of their election to the House (whether at a general election or a by-election). After the initial publication of the Register (or, in the case of Members returned at by-elections, after their initial registration) it is the responsibility of

² Select Committee on Members' Interests, First Report, Session 1991-92, "Registration and Declaration of Financial Interests", HC 236, paragraph 27.

Members to notify changes in their registrable interests within four weeks of each change occurring.

14. Any Member who has a registrable interest which has not at the time been registered, shall not undertake any action, speech or proceeding of the House (except voting) to which the registration would be relevant until he or she has notified the Commissioner of that interest.

15. Members are responsible for making a full disclosure of their interests, and if they have relevant interests which do not fall clearly into one or other of the specified categories, they are nonetheless expected to register them, normally under Category 11.

16. Financial thresholds below which interests are not registrable apply except in Categories 1, 2 and 3, and the thresholds for the categories vary. All single benefits of whatever kind which exceed the applicable threshold (if any) should be registered in the appropriate Category. Category 4 requires the registration of all benefits received from the same source which amount to more than £1,500 in a calendar year, in increments of more than £500. Categories 5, 6 and 7 require the registration of all benefits, received from the same source in the course of a calendar year, which cumulatively amount to more than 1 per cent of the current parliamentary salary.³ Category 8 requires the registration of property worth more than 100% of a Member's annual parliamentary salary⁴ or rental income worth 10% of that salary.⁵ Category 9 requires the registration of shareholdings worth more than 100% of the annual parliamentary salary. Category 10 applies the same threshold as Category 4. In addition, if a Member considers that any benefit he or she has received falls within the definition of the main purpose of the Register set out in paragraph 11, even though it does not exceed the 1 per cent threshold, the Member should register it under Category 11 (Miscellaneous). The threshold for Category 12 is, again 1% of the annual parliamentary salary.

17. PPERA makes provision as to the permissibility of donations for amounts over £500. By making an entry in the Register the Member confirms that to the best of his or her belief the donation is from a permissible source. The threshold for reporting under PPERA is £1,500, whether as a single donation or as an accumulation of donations of £500 or more from the same source within the same calendar year. When accepting benefits worth more than £500 but below the registration threshold of £1,500, Members should bear in mind the need to ensure they are from permissible donors and keep records as they may be reportable when combined with other donations from the same source in a calendar year. Donations over £500 that are from an unidentifiable or impermissible source should be returned and reported to the Commission within 30 days.

3 About £660 at 1 April 2010

4 About £66,000 at 1 April 2010

5 About £6,600 at 1 April 2010

Publication and public inspection

18. The Register is published under the authority of the Committee on Standards and Privileges in printed form soon after the beginning of a new Parliament, and approximately annually thereafter. Between printings the Register is regularly updated electronically. The current version and a number of previous editions are available for public inspection in the Parliamentary Archives. The current Register, with previous editions, is also available on the Internet. At the discretion of the Commissioner copies of individual entries in the Register may be supplied on request.

The Categories of Registrable Interest

[Note: Each of the boxes in this section contains a description of one of the Categories of interest which the House has agreed should be registered and which appear in the registration form]

Part 1

Category 1

Directorships: Remunerated directorships in public and private companies including directorships which are individually unremunerated, but where remuneration is paid through another company in the same group.

19. In this Category, and in others, “remuneration” includes not only salaries and fees, but also the receipt of any taxable expenses, allowances, or benefits, such as the provision of a company car. Members must register the name of the company in which the directorship is held and give a broad indication of the company’s business, where that is not self-evident from its name. In addition to any remunerated directorships, a Member is also required to register any directorships he or she holds which are themselves unremunerated but where the companies in question are associated with, or subsidiaries of, a company in which he or she holds a remunerated directorship. Otherwise, Members are not required to register unremunerated directorships but may do so under Category 11 if they consider the relevant test is met.

20. Companies which have not begun to trade or which have ceased trading need not be registered, either under this Category or under Category 9 (Shareholdings). “Not trading” should, however, be interpreted in a strict sense; if a company is engaged in any transaction additional to those required by law to keep it in being, then a remunerated directorship in that company should be registered. If a Member wishes to register a directorship in a company which is not trading the Member should make the position clear by adding the words “not trading” after the name of the company.

21. A Member who holds a registrable directorship, including a non-executive directorship, and who provides in respect of that directorship services in the capacity of a Member of Parliament, is required to deposit with the Office of the Parliamentary Commissioner for Standards, for public inspection if required, such an agreement for the provision of services as is described in paragraphs 66 to 71 below.

22. Members must register under this category the precise amount of each individual payment made in relation to any directorship, the nature of the work carried on in return for that payment, the number of hours worked during the period to which that payment relates and (except where disclosure of the information would be contrary to any legal or established professional duty of privacy or confidentiality) the name and address of the person, organisation or company making that payment.

23. Members providing services in the capacity of a Member of Parliament should also register their annual remuneration in bands of £5,000 (eg up to £5,000, £5,001–£10,000).

Category 2

Remunerated employment, office, profession, etc: Employment, office, trade, profession or vocation (apart from membership of the House or ministerial office) which is remunerated or in which the Member has any financial interest. Membership of Lloyd's should be registered under this Category⁶

24. All employment outside the House and any sources of remuneration which do not fall clearly within any other Category should be registered here. Members must register under this category the precise amount of each individual payment made, the nature of the work carried on in return for that payment, the number of hours worked during the period to which that payment relates and (except where disclosure of the information would be contrary to any legal or established professional duty of privacy or confidentiality) the name and address of the person, organisation or company making that payment.

25. As with Category 1, a Member who is regularly providing services in the capacity of a Member of Parliament should obtain, and deposit with the Office of the Parliamentary Commissioner for Standards for public inspection and reproduction if required, an agreement for the provision of services, and should register earnings in bands of £5,000. In the case of media work there is no requirement to obtain an agreement, but the earnings band must be registered. For further guidance on media work see paragraph 71.

26. Members who have previously practised a profession of which they remain a member may wish to register that profession with a bracketed remark such as "[non practising]" after the entry. This is particularly desirable in cases of sleeping partnerships and where it is likely that the Member will resume the profession at a later stage. Such interests should be registered under Category 11 rather than this category.

Category 3

Clients: In respect of any paid employment registered in Category 1 (Directorships) and Category 2 (Remunerated employment, office, profession, etc.), any provision to clients of services should be registered under this Category. All clients to which personal services are provided should be listed together with the nature of the client's business in each case. Where a Member receives remuneration from a company or partnership engaged in consultancy business which itself has clients, the Member should list any of those clients to whom personal services or advice are provided, either directly or indirectly.

27. If a Member is employed as a parliamentary adviser by a firm which is itself a consultancy, he or she should register under this category any clients of that firm to which he or she has personally provided services. In addition the Member should register any

⁶ Members who have resigned from Lloyd's should continue to register their interest as long as syndicates in which they participated continue to have years of account which are open or in run-off. In such circumstances Members should register the date of resignation. Members of Lloyd's are also required to disclose the categories of insurance business which they are underwriting. Any member of Lloyd's receiving financial assistance (including relief from indebtedness or other loan concessions but excluding any general settlement available to all Lloyd's members) from a company, organisation or person within or outside the United Kingdom should register that interest under Categories 5 or 7, as appropriate.

clients of the consultancy which he or she knows have benefited from such advice. Where a company is named as a client, the nature of the company's business should be indicated. The consultancy itself should be registered under Category 2.

28. Members must register under this category the precise amount of each individual payment made, the nature of the work carried on in return for that payment, the number of hours worked during the period to which that payment relates and (except where disclosure of the information would be contrary to any legal or established professional duty of privacy or confidentiality) the name and address of the person, organisation or company making that payment.

Category 4

Sponsorships:

(a) Any donation received by a Member's constituency party or association, or relevant grouping of associations which is linked either to candidacy at an election or to membership of the House; and

(b) any other form of financial or material support as a Member of Parliament,

amounting to more than £1,500 from a single source, whether as a single donation or as multiple donations of more than £500 during the course of a calendar year.

29. This category deals with sponsorship or other forms of support by companies, trade unions, professional bodies, trade associations and individuals. Donations to Members relating to their political activities (which under PPERA are to be interpreted widely) are generally registrable under this category unless:

- a) it would be more appropriate to register them under another Category, such as Category 5 (Gifts, benefits and hospitality (UK)) or Category 6 (Overseas visits), or
- b) they are exempt from registration.

30. Category 4(a) deals with financial contributions to constituency parties or associations, or (where the party is organised otherwise than on a constituency basis) the relevant grouping of associations. Such reporting to the Register of Members' Financial Interests is additional to the statutory reporting requirements of local political party accounting units to the Electoral Commission under PPERA. For the purposes of the Register of Members' Financial Interests, support should be regarded as "linked" directly to a Member's candidacy or membership of the House if it is expressly tied to the Member by name, eg if it is a contribution to the Member's fighting fund or a donation which has been invited or encouraged by the Member or candidate. Financial contributions to constituency associations, parties or area associations, etc, which are not linked to a Member's candidacy or membership of the House, that is where the donation would have been forthcoming irrespective of the identity of the candidate or Member, and the candidate or Member played no personal part in securing it, do not have to be registered on the Register of Members' Financial Interests.

31. Members who did not sit in the previous parliament should register all donations linked to their candidacy received in the twelve month period before the date on which they submit their returns to the Registrar.⁷

32. It is not possible to give an exhaustive list of what might be considered 'linked' to an individual, and, as always, Members who are in any doubt should consult the Registrar.⁸ They are also reminded that the requirement to register covers only donations of which they are aware or might reasonably be expected to be aware. Registration by the Member is additional to any registration required of the local organisation.

33. Category 4(b) covers any other financial or material benefit in support of a Member's role as a Member of Parliament. (Any contribution for the *personal benefit* of a Member should be entered under Category 5 (Gifts, benefits and hospitality (UK)). Such support is registrable whether it is provided directly to the Member or is a donation made to a Member's central party organisation accompanied with a wish that it be allocated to the support of a particular Member or front-bench office. (In such circumstances the party's reporting obligations to the Electoral Commission under PPERA remain). The types of support which should be registered under this Category include: the services of a research assistant or secretary whose salary, in whole or in part, is met by an outside organisation or individual; the provision of free or subsidised accommodation for the Member's use, other than accommodation provided by a local authority to a Member for the sole purpose of holding constituency surgeries or accommodation provided solely by the constituency party; and financial contributions towards such services or accommodation.

34. Members standing for election to non-parliamentary office (for instance election to a devolved institution, elected mayoralty or party office) should register donations received to support such candidacy.

35. Where Members receive sponsorship of registrable value from political clubs or other associations, they should register this fact together with the names of individual donors who have contributed more than £1,500 to the club in a calendar year. Similarly, if a fund-raising event raises more than £1,500, a Member benefiting should register the event and any qualifying donations from individuals or bodies; where the funds raised are available for more than one elected representative (for instance, more than one Member or a Member and a Member of the Scottish Parliament), each recipient Member should register the benefit as if he or she were the sole beneficiary.

36. After determining that the donation is from a permissible source,⁹ when making an entry under this Category, Members must provide:

7 This ensures that their entries cover the same period as those of returned Members.

8 Members might, in this context, ask themselves such questions as 'Did I write to or meet the donor asking for a contribution?', 'Was a letter sent out headed 'Campaign to [Re-] Elect [name]'?', 'Was I the guest of honour at a dinner where donations were sought?' and 'Have I a particular relationship to the donor which would not be the case in respect of another candidate?'. If the answer to any of these is 'Yes', then the presumption should be in favour of registration.

9 Sources of donations are controlled under PPERA. Information about permissibility is included in a Note at the end of this section. For further information and advice please contact the Electoral Commission on 020 7271 0616.

Name of donor

Address of donor (the address of individuals will not be published)

Amount of donation or nature and value if donation in kind

Date of receipt of donation

Date of acceptance of donation

Donor status

Individual

Building society

Friendly society

Limited liability partnership

Registered party (other than own party)

Trade union

Unincorporated association

Company—with registration number

In the case of a donation from a trust

Name and address of person who created the trust

Name (and, if the trust was created after 27 July 1999) address of all others by whom property has been transferred to the trust, including company registration number if applicable

If the trust was created before 27 July 1999, the date the trust was created.

In the case of a bequest

The full name of the person who made the bequest

The address of that person at the time of death, or, if that person was not registered in an electoral register at the time of death, the last address at which that person was registered during the previous five years

Category 5

Gifts, benefits and hospitality (UK): Any gift to the Member or the Member's spouse or partner, or any material benefit, of a value greater than one per cent of the current parliamentary salary from any company, organisation or person within the UK which in any way relates to membership of the House or to a Member's political activity.

37. The specified financial value above which tangible gifts (such as money, jewellery, glassware etc.), or other benefits (such as hospitality, tickets to sporting and cultural events, relief from indebtedness, loan concessions, provision of services etc.) must be registered is one per cent of a Member's annual parliamentary salary.¹⁰

38. The rule means that Members must register any gift, or other benefit, which in any way relates to membership of the House and which is given free, or at a cost below that generally available to members of the public whenever the value of the gift or benefit is greater than the amount specified above. Members must also register any similar gift or

¹⁰ About £660 as at April 2010.

benefit which is received by any company or organisation in which the Member, or the Member and the Member's spouse or partner jointly, have a controlling interest.

39. Members must register gifts and other benefits from the same source in the course of a calendar year which cumulatively are of a value greater than one per cent of the current parliamentary salary, even if each single gift or benefit is of lesser value.

40. Members must register benefits, such as tickets to sporting or cultural events, received by another person together with or on behalf of themselves as if they had received them in person.

41. Members must register gifts, or other benefits, from another Member of Parliament in the same way as those from anyone else.

42. Although hospitality from public bodies (Her Majesty's Government, any of the devolved institutions in Scotland, Wales or Northern Ireland or non-departmental bodies including Members' local or health authorities), if valued at over £500, is considered impermissible under PPERA, the Electoral Commission recognises that such hospitality from these sources is in many cases part of Members' duties and therefore forms part of their remuneration and allowances, which do not need to be reported under PPERA. Under the rules of the House they are not registrable, but in any case of doubt the Electoral Commission should be consulted as to permissibility before acceptance.

43. Gifts and material benefits in this Category (and other Categories) are exempt from registration if they do not relate in any way to membership of the House or to a Member's political activity. The extent to which this exemption applies in any particular case is necessarily a matter of judgement. Both the possible motive of the giver and the use to which the gift is put have to be considered: if it is clear on both counts that the gift or benefit is entirely unrelated to membership of the House or to a Member's political activity, or would not reasonably be thought by others to be so related, it need not be registered. If there is any doubt it should be registered.

44. Where a personal benefit to the Member is not specifically received in the capacity of a Member of Parliament but is nonetheless related to his or her political activity, as, for instance, in the case of a fund set up to assist in a legal action arising out of such activity, any individual donations to the fund which are of registrable value should be registered under this category.

45. In respect of benefits under this Category the information required to be provided is as for Category 4.

Category 6

Overseas visits: With certain specified exceptions, overseas visits made by the Member or the Member's spouse or partner relating to or in any way arising out of membership of the House where the cost of the visit exceeds one per cent of the current parliamentary salary and was not wholly borne by the Member or by United Kingdom public funds.

46. When making an entry under this Category the Member must register:

Name of donor

Address of donor (the address of individuals will not be published)

Amount of donation (if there is no commercial equivalent, and the Member believes the value to have exceeded £1,500, the Member should provide a statement that he or she has been unable to ascertain the value of the donation but believes it to have been more than £1,500)

Destination of visit

Date of visit

Purpose of visit

Where only part of the cost was borne by an outside source (for example the cost of accommodation but not the cost of travel), those details should be stated briefly. When an overseas visit was arranged by a registered All-Party or parliamentary group or by a party backbench group, it is not sufficient to name the group as the sponsor of the visit: the Government, organisation, company or person ultimately meeting the cost should be specified.

47. The following categories of visit, which are mainly paid for from United Kingdom public funds or which involve reciprocity of payment with other Governments or Parliaments, together with any hospitality associated with such a visit, are exempt from registration:

- i) Visits which are paid for by, or which are undertaken on behalf of, Her Majesty's Government or which are made on behalf of an international organisation to which the United Kingdom Government belongs (Note: Visits paid for by the British Council are registrable under PPERA, and the previous exemption therefore no longer applies);
- ii) Visits abroad with, or on behalf of, a Select Committee of the House, or undertaken under a Resolution of the House;
- iii) Visits undertaken on behalf of, or under the auspices of, the Commonwealth Parliamentary Association, the Inter-Parliamentary Union, the British American Parliamentary Group, the British-Irish Parliamentary Assembly, the Council of Europe, the Western European Union, the Westminster Foundation for Democracy, the NATO Parliamentary Assembly, the OSCE Parliamentary Assembly. (Note: The Armed Forces Parliamentary Scheme, the Police Service Parliamentary Scheme and the National Council for Voluntary Organisations' MP Secondment Scheme and the Industry and Parliament Trust are no longer exempt from registration);
- iv) Visits arranged and paid for wholly by a Member's own political party;
- v) Visits paid for wholly by an institution of the European Union or by a political group of the European Parliament.

48. Similar categories of visit may be added to this list from time to time by the Committee on Standards and Privileges. Visits which are entirely unconnected with membership of the House, or with a Member's political activities, are exempt from registration.

Category 7

Overseas benefits and gifts: Any gift to the Member or to the Member's spouse or partner, or any material advantage, of a value greater than one per cent of the current parliamentary salary from or on behalf of any company, organisation or person overseas which in any way relates to membership of the House.

49. The financial limits and guidelines which apply to Category 5 also apply here. Members should enter a cross-reference under this Category where an interest already entered in Categories 1, 2 or 3 entails the receipt of payments from abroad. There are legal restrictions on Members' accepting benefits from abroad in connection with their political activities, about which they may wish to take advice from the Electoral Commission.

Category 8

Land and property: Any land or property—

- (a) which has a substantial value: (unless used for the personal residential purposes of the Member or the Member's spouse or partner), or
- (b) from which a substantial income is derived.

The nature of the property should be indicated.

50. Property used for the personal residential purposes of the Member or the Member's spouse or partner and dependent children (that is, their main and any other homes) does not need to be registered under Category 8(a). It may need to be registered under Category 8(b), but only if the Member derives an income from it and derives a substantial income from his or her total property portfolio (see paragraph 51). A property, such as a farm, on which the Member has a residence should be registered if it has a substantial value aside from the residential use.

51. "Substantial value" means a value greater than the current parliamentary salary. If a Member's total property portfolio (excluding main and other homes) has a substantial value, it should be registered.

52. "Substantial income" means an income greater than 10 per cent of the current parliamentary salary. If the income from a Member's total property portfolio (*including* main and any other homes) is substantial, all the properties from which any income is derived should be registered.

53. Entries should be reasonably specific as to the nature of the property and its general location, for example:—

"Woodland in Perthshire"

“Dairy farm in Wiltshire”

“3 residential/commercial rented properties in Manchester”.

Category 9

Shareholdings: Interests in shareholdings held by the Member, either personally, or with or on behalf of the Member's spouse or partner or dependent children, in any public or private company or other body which are:

(a) greater than 15 per cent of the issued share capital of the company or body; or

(b) 15 per cent or less of the issued share capital, but greater in value than the current parliamentary salary.

The nature of the company's business in each case should be registered.

54. When determining whether shareholdings are registrable under the criteria set out above, Members should include not only holdings in which they themselves have a beneficial interest but also those in which the interest is held with, or on behalf of, their spouse or partner or dependent children.

55. For each registrable shareholding, the entry should state the name of the company or body, briefly indicate the nature of its business, and make clear which of the criteria for registration is applicable.

56. The value of a shareholding is determined by the market price of the share on the preceding 5 April; but if the market price cannot be ascertained (eg because the company is unquoted and there is no market in the shares), the Member should decide whether to register it on the basis of its estimated value. Interests in shareholdings include share options.

57. It is sometimes appropriate to register shareholdings falling outside Categories 9a and 9b. In considering whether to do so, Members should have regard to the definition of the main purpose of the Register: “to provide information of any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament”. If a Member considers that any shareholding which he or she holds falls within this definition, the Member should register the shareholding under Category 11.

58. Holdings in a collective investment vehicle (including unit trusts, investment companies with variable capital (ICVCs) and investment trusts) are not generally registrable. Members are, however, advised to have regard to the general principle of the Register and to consider registration in appropriate cases, such as sector-specific vehicles. Members who are beneficiaries of trusts should treat them in the same way.

59. Pensions are not in themselves registrable, but identifiable holdings in a self-invested personal pension fund, if of registrable value, are registrable either under Category 8 or Category 9 as appropriate.

Category 10

Controlled transactions within the meaning of Schedule 7A PPERA, not otherwise recorded in the Register

60. Since 2006 loans and credit arrangements—‘regulated transactions’—have been controlled under PPERA and were previously reportable to the Electoral Commission (further detailed guidance on the treatment of loans is available from the Commission). When a Member is offered a loan or credit arrangement over £500 in value relating to political activities they should confirm whether it is from a permissible source (see paragraph 3 and if in any doubt consult the Electoral Commission for further information), before deciding whether to enter into it. If it is over £1,500 in value, a Member has 30 days in which to report this to the Register of Members’ Financial Interests (for permissible loans). Loans over £500 in value that are from an impermissible source must not be entered into.

61. If any part of the value of a loan is used in connection with the Member’s political activities, it is a regulated loan. This includes loans taken out for any other purpose, any part of whose value is used in connection with the Member’s political activities as long as it was the Member’s intention in taking out the loan that it would be used for those activities.

62. Another type of regulated transaction that a Member is required to report to the Registrar of Members’ Financial Interests under PPERA is a ‘connected transaction’. This is defined as the provision of security on behalf of a Member where any part of the money or benefit from the original transaction is used in connection with the Member’s political activities, for example:

- a supporter provides a personal guarantee to a bank to repay the mortgage on a Member’s office if the Member is unable to do so;
- a supporter gives a supplier a charge against their own property if a Member fails to meet their trade credit agreement.

Category 11

Miscellaneous: Any relevant interest, not falling within one of the above categories, which nevertheless falls within the definition of the main purpose of the Register which is “to provide information of any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches, or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament,” or which the Member considers might be thought by others to influence his or her actions in a similar manner, even though the Member receives no financial benefit.

63. The main purpose of this Category is to enable Members to enter in the Register any interests which they consider to be relevant to the Register’s purpose, but which do not obviously fall within any of the other categories. As the Select Committee on Members’ Interests pointed out in its First Report of Session 1991–92: “it is a cardinal principle that Members are responsible for making a full disclosure of their own interests in the Register;

and if they have relevant interests which do not fall clearly into one or other of the specified Categories, they will nonetheless be expected to register them”.¹¹

64. The general principle of the Register is that the requirement to register is limited to interests entailing remuneration or other material benefit.¹² Members are not, therefore, required by the rules to register unremunerated directorships (eg directorships of charitable trusts, professional bodies, learned societies or sporting or artistic organisations) and the Category should not be used to itemise these or other unremunerated interests. However, when a Member considers that an unremunerated interest which the Member holds might be thought by others to influence his or her actions in a similar manner to a remunerated interest, such an interest may be registered here. Such interests may include, but are not limited to, shareholdings (as described in paragraph 57 above), unremunerated parliamentary consultancies, or non-practising membership of professions. Interests such as a fund to defray legal expenses relating to activities as a Member or political activities should also be registered here if no benefit has yet been received.

Part 2

Category 12

Family members employed and remunerated through parliamentary allowances.

65. Members are required to register the name, relationship to them, and job title of any family members (by blood or by marriage or a relationship equivalent to marriage) employed by them and remunerated through parliamentary allowances (for casual employment, this is subject to a threshold of 1% of a Member’s annual parliamentary salary).

Note on permissible donations and loans

After receiving a donation over £500 in value a Member has 30 days to check and confirm it is from a permissible source before either accepting it or returning it. Before entering into a loan a Member must check and confirm the lender is permissible. The Member then has a further 30 days to report permissible donations or loans over £1,500 to the Registrar or to report impermissible or unidentifiable donations and loans (over £500) to the Commission. Members must check the permissibility of a lender before entering into a loan, credit facility or guarantee arrangement for political activities.

Under Chapter 2 of Part IV of PPERA a permissible source is:

- an individual registered in a UK electoral register (including bequests)
- a UK-registered company which is incorporated within the European Union (EU) and carries on business in the UK
- a GB-registered political party
- a UK-registered trade union

¹¹ *Op.cit.*, paragraph 29.

¹² *Ibid*, paragraph 31.

- a UK-registered building society
- a UK-registered limited liability partnership that carries on business in the UK
- a UK-registered friendly society
- a UK-based unincorporated association that carries on business or other activities in the UK

Funding for overseas visits can come from any source as long as the amount given does not exceed the cost of the trip.

Agreements for the provision of services

"Any Member proposing to enter into an agreement which involves the provision of services in his capacity as a Member of Parliament shall conclude such an agreement only if it conforms to the Resolution of the House of 6th November 1995 relating to Conduct of Members; and a full copy of any such agreement including the fees or benefits payable in bands of: up to £5,000, £5,001–£10,000, and thereafter in bands of £5,000, shall be deposited with the Parliamentary Commissioner for Standards at the same time as it is registered in the Register of Members' Financial Interests and made available for inspection and reproduction by the public."

Any Member who has an existing agreement involving the provision of services in his capacity as a Member of Parliament which conforms to the Resolution of the House of 6th November 1995 relating to Conduct of Members, but which is not in written form, shall take steps to put the agreement in written form; and no later than 31st March 1996 a full copy of any such agreement including the fees or benefits payable in bands of: up to £5,000, £5,001–£10,000, and thereafter in bands of £5,000 shall be deposited with the Parliamentary Commissioner for Standards and registered in the Register of Members' Financial Interests and made available for inspection and reproduction by the public.

Provided that the requirement to deposit a copy of an agreement with the Commissioner shall not apply—

- (a) if the fees or benefits payable do not exceed one per cent of the current parliamentary salary; nor
- (b) in the case of media work (but in that case the Member shall deposit a statement of the fees or benefits payable in the bands specified above)."

(Part of a Resolution of the House of 6 November 1995, amended on 14 May 2002 and on 9 February 2009)

66. Under a Resolution of the House of 6 November 1995 the House agreed that Members should deposit certain agreements for the provision of services with the Parliamentary Commissioner for Standards.

Members should:

- ensure that the agreement does not breach the ban on lobbying for reward or consideration (see paragraphs 89–101 below);
- put any such agreement in written form;
- deposit a full copy of the agreement with the Commissioner. The agreement should indicate the nature of the services to be provided and specify the fees or benefits the Member is to receive in bands of (1) up to £5,000; (2) £5,001 to £10,000 (and thereafter in bands of £5,000);
- make the appropriate entry in the Register; and
- declare the interest when it is appropriate to do so (see paragraphs 72–88).

Deposited agreements may be inspected in the Parliamentary Archives.

67. 'Services in the capacity of a Member of Parliament' is usually taken to mean advice on any parliamentary matter or services connected with any parliamentary proceeding or otherwise related to the House. Essentially, when Members are considering whether an agreement is necessary they should ask themselves 'Would I be doing this job in this way if I were not a Member of Parliament', and seek an agreement if the answer is 'No'.

68. The Select Committee on Standards in Public Life¹³ gave the following guidance in respect of the application of the rule:

"The present rule is that all remunerated outside employment must be included in the Register, irrespective of whether it has any bearing on a Member's actions in Parliament. We have no doubt that this discipline should continue to be observed.

If our recommendation that paid advocacy¹⁴ in Parliament should be prohibited altogether is adopted by the House, it is essential that no future agreements should require Members to take part in activities which can be described as advocacy.

The new requirement for employment agreements¹⁵ to be put in writing will apply principally to any arrangement whereby a Member may offer advice about parliamentary matters. We think it right, however, that it should also include frequent, as opposed to merely occasional, commitments outside Parliament which arise directly from membership of the House. For example, a regular, paid newspaper column or television programme would have to be the subject of a written agreement, but ad hoc current affairs or news interviews or intermittent panel appearances would not.¹⁶

It may not always be immediately obvious whether a particular employment agreement arises directly from, or relates directly to, membership of the House. At one end of the spectrum are those Members whose outside employment pre-dates their original election, whilst at the other extreme are those who have taken up paid adviserships since entering the House. In between there will be many cases which are difficult to classify. Some Members, for example, may provide advice on Parliamentary matters incidentally as part of a much wider employment agreement covering matters wholly unrelated to the House. In these circumstances, it would be for an individual Member to decide how far it would be proper to isolate the Parliamentary services within a separate, depositable agreement; in reaching that decision he may wish to consult the Commissioner."

69. On the basis of this guidance the Committee on Standards and Privileges has agreed that disclosing the remuneration for parliamentary services separately from remuneration for other services would be justified only in exceptional circumstances; eg where the parliamentary services are separately identifiable and form only a small proportion of the

13 Select Committee on Standards in Public Life, Second Report, Session 1994-95, HC 816, paragraphs 39-42.

14 Referred to in the Guide as "lobbying for reward or consideration".

15 Referred to in the Guide as "agreements for the provision of services".

16 But see also paragraph 71 below.

services as a whole. In any such case the entry in the Register should make it clear that the remuneration is for parliamentary services as part of a wider agreement.

70. The scope of the Resolutions is not limited to employment registered under Category 2 (Remunerated employment, office, profession, etc) but includes other forms of employment, such as directorships (including non-executive directorships), when these involve the provision of services by the Member in his or her capacity as a Member of Parliament.

71. The following special provisions apply to media work (journalism, broadcasting, speaking engagements, media appearances, training, &c):

- a) The deposit of an agreement for the provision of services is not required.
- b) Unless the work is wholly unrelated to parliamentary affairs, such as a sports column in a newspaper, Members who register any form of media work under Category 2 (Remunerated employment, office, profession, etc.) should declare the remuneration, or value of the reward, they receive for each commitment, or group of commitments for the same organisation or audience in the same calendar year, in bands of (1) up to £5,000; (2) £5,001–£10,000 (and thereafter in bands of £5,000).

節錄自議員個人利益監察委員會就一宗針對何鍾泰議員、林健鋒議員及石禮謙議員的投訴作出考慮後於 2011 年 6 月 22 日向立法會提交的報告的第 3.14 段

就《議事規則》第83A條而言，應以哪些原則來看待公司董事職位，監察委員會有下列意見：

X X X X X

- (a) 若某間公司已競投某項目的合約，或已獲批該項目的合約，則該公司會被視為在該項目中有直接金錢利益；
- (b) 若某間公司基於上文(a)段所述的情況而被視為在某項目中有直接金錢利益，則擔任該公司董事的議員會被視為在該項目中有間接金錢利益；
- (c) 就按照《議事規則》第83A條的規定披露金錢利益而言，執行董事、非執行董事與獨立非執行董事並無區分；
- (d) 為按照《議事規則》第83A條的規定披露利益，議員應採取合理步驟，瞭解他擔任董事的公司在委員會審議的事宜中是否有金錢利益；及
- (e) 在一般情況下，若某間公司("母公司")的附屬公司已競投或已獲批某項目的合約，該母公司會被視為在該項目中有間接金錢利益，而且基於此點，擔任該母公司的董事的議員會被視為在該項目中有間接金錢利益。

X X X X X