

**議員個人利益監察委員會
就針對霍震霆議員、梁劉柔芬議員、
梁君彥議員、詹培忠議員、
黃宜弘議員及葉國謙議員的投訴
作出考慮後向立法會提交的報告**

**Report of the Committee on Members' Interests
on its consideration of complaints against
Hon Timothy FOK, Hon Mrs Sophie LEUNG,
Hon Andrew LEUNG, Hon CHIM Pui-chung,
Dr Hon Philip WONG and Hon IP Kwok-him**

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CHAPTER 1

Introduction

Purpose of the Report

1.1 This is a report of the Committee on Members' Interests ("CMI") on complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him in relation to their alleged failure to furnish to the Clerk to the Legislative Council ("LegCo") particulars of their registrable interests, which were their directorships and/or shareholdings in a number of companies.

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

1.2 The membership of CMI is in **Appendix I**.

1.3 One of the terms of reference of CMI (**Appendix II**), as provided in Rule 73(1)(c) of the Rules of Procedure ("RoP"), is to consider any complaint made in relation to the registration and declaration of Members' interests or any complaint of a failure to do so and, if it thinks fit after consideration, investigate such complaint.

1.4 For the purpose of handling complaints, CMI adopted at its meeting on 2 January 2009 the "Procedure of the Committee on Members' Interests for handling complaints received in relation to the registration or declaration of Members' interests or Members' claims for reimbursement of operating expenses" ("the Procedure"). The Procedure was issued to all Members on 13 January 2009 for their reference and a copy of it is in **Appendix III**.

1.5 According to the Procedure, CMI takes a two-stage approach in handling complaints, which consists of the preliminary consideration and investigation stages. The purposes of the preliminary consideration are to ascertain the subject of the complaint and the provisions of the RoP relevant to the allegations in question, and to gather information relevant to the complaint and the allegations in question. On the basis of information gathered at the preliminary consideration stage, CMI will determine if it will proceed to the investigation stage.

The complaints

1.6 On 28 April 2011, the Clerk to CMI received an electronic mail (**Appendix IV**), which was forwarded by the Public Information Division ("PID") of LegCo Secretariat, from a member of the public ("the first complainant") expressing concern about the press reports in Ming Pao Daily News on 27 April 2011 (**Appendix V**) which alleged that five Members, namely Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung and Dr Hon Philip WONG, had failed to register their remunerated directorships and their shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests. The first complainant requested LegCo to initiate the investigation mechanism, follow up the matter seriously, thoroughly investigate and report to the public.

1.7 On 5 May 2011, the Clerk to CMI received through email another complaint (**Appendix VI**), which was also forwarded by PID, from a member of the public ("the second complainant") expressing concern about the reports in Ming Pao Daily News of 26 and 27 April 2011 (**Appendix VII**) which claimed that Hon IP Kwok-him and the five Members referred to in paragraph 1.6 above had breached the Guidelines on Registration of Interests. The second complainant requested LegCo to conduct an investigation and report to the public.

1.8 Pursuant to Paragraph (1) of the Procedure, the Clerk to CMI has verified the identities of the two complainants who do not wish to make their identities public.

Chairing of the meetings to consider complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

1.9 As the Chairman of CMI, Hon Mrs Sophie LEUNG, is one of the Members under complaint, in accordance with Paragraph (25) of the Procedure, Mrs LEUNG would not participate in the handling of the complaints or in the meetings of CMI to deliberate on or inquire into the complaints. The Clerk to CMI, in accordance with Paragraph (1) of the Procedure, sought instruction from the Deputy Chairman of CMI, Hon Emily LAU, who decided that CMI should meet to consider the complaints pursuant to Paragraph (2) of the Procedure. The first meeting of CMI presided by the Deputy Chairman, Hon Emily LAU, was then held on 16 May 2011. The Deputy Chairman of CMI also presided over all the meetings subsequently held to consider the complaints against the six Members.

Subject of the complaints and rules relevant to the allegations in the complaints

1.10 Members consider that the complaints relate to the registration of Members' interests under Rule 83 of RoP and that, according to Rule 73(1)(c) of RoP, CMI should consider them.

1.11 Rule 83(1) of RoP provides that a Member shall, not later than the first meeting of each term, furnish to the Clerk to LegCo, in such form as may be approved by the President, particulars of his registrable interests. Rule 83(3) of RoP further provides that a Member shall furnish to the Clerk to LegCo particulars of any change in his registrable interests within 14 days of any such change.

1.12 In Rule 83 of RoP, "registrable interests" means, among others:

- (a) remunerated directorships of companies, public or private, and if the company concerned is a subsidiary of another company within the meaning of the Companies Ordinance (Cap. 32)¹, also the name of that other company (Rule 83(5)(a)); and
- (b) the names of companies or other bodies in which the Member has, to his knowledge, either himself or with or on behalf of his spouse or infant children, a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital (Rule 83(5)(h)).

1.13 A copy of Rule 83 of RoP is in **Appendix VIII**.

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

¹ Under section 2(4) of the Companies Ordinance (Cap. 32), a company (A) is deemed to be a subsidiary of another company (B) if: (a) B controls the composition of the board of directors of A, controls more than half of the voting power of A, or holds more than half of the issued share capital of A; or (b) A is a subsidiary of any company which is B's subsidiary.

Preliminary consideration of the complaints against the six Members

1.15 CMI held a total of 5 meetings to consider the complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him. Under Paragraph (7) of the Procedure, the purposes of the meetings were to ascertain the subject of the complaints and the provisions of RoP relevant to the allegations in question and gather information relevant to the complaints. All the meetings were held in camera in accordance with Paragraph (23) of the Procedure.

1.16 CMI gathered information relevant to the complaints by studying the Register of Members' Interests and conducting company searches at the Companies Registry.

1.17 CMI also requested the Members under complaint to provide information and explanations in respect of the complaints against them.

1.18 Based on the information gathered and the responses and explanations provided by the Members under complaint, CMI is of the opinion that it is able to determine whether or not the complaints are substantiated. In accordance with Paragraphs (11) and (12) of the Procedure, CMI decides that an investigation is not necessary and that a report on the complaints shall be made to the Council.

1.19 To enable the Members under complaint to have an opportunity to comment on the draft report, those parts of the draft report relevant to the Members concerned were forwarded to them for comments on 19 October 2011. As at 4 November 2011 when CMI decided to finalize the Report, CMI has not received any response from the Members.

The Report

1.20 This report consists of the main report and relevant documents. The main report comprises eight Chapters as follows:

- (a) Chapter 1 consists of an introduction to the background as well as the subject of the complaints and rules of the RoP relevant to the allegations in the complaints;
- (b) Chapter 2 sets out the complaints against Hon Timothy FOK, the information gathered by CMI, Mr FOK's response and explanations, and CMI's consideration, conclusions and recommendations on the complaints against Mr FOK;

- (c) Chapter 3 sets out the complaints against Hon Mrs Sophie LEUNG, the information gathered by CMI, Mrs LEUNG's response and explanations, and CMI's consideration, conclusions and recommendations on the complaints against Mrs LEUNG;
- (d) Chapter 4 sets out the complaints against Hon Andrew LEUNG, the information gathered by CMI, Mr LEUNG's response and explanations, and CMI's consideration, conclusions and recommendations on the complaints against Mr LEUNG;
- (e) Chapter 5 sets out the complaints against Hon CHIM Pui-chung, the information gathered by CMI, Mr CHIM's response and explanations, and CMI's consideration, conclusions and recommendations on the complaints against Mr CHIM;
- (f) Chapter 6 sets out the complaints against Dr Hon Philip WONG, the information gathered by CMI, Dr WONG's response and explanations, and CMI's consideration, conclusions and recommendations on the complaints against Dr WONG;
- (g) Chapter 7 sets out the complaint against Hon IP Kwok-him, the information gathered by CMI, Mr IP's response and explanations, and CMI's consideration, conclusions and recommendations on the complaint against Mr IP; and
- (h) Chapter 8 sets out the overall observations and comments of CMI on or arising out of the complaints.

CHAPTER 2

Complaints against Hon Timothy FOK

2.1 This Chapter sets out the complaints against Hon Timothy FOK, the information gathered by CMI to facilitate its consideration of the complaints against Mr FOK, Mr FOK's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaints against Mr FOK.

The complaints

2.2 The complaints alleged that Hon Timothy FOK had failed to register his remunerated directorships and his shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

2.3 CMI notes that since the beginning of the Fourth LegCo and following the publication of the relevant news reports referred to in the complaints against Mr FOK, Mr FOK has completed and furnished to the Clerk to LegCo the relevant pages in the Registration Form on Members' Interests approved by the President of LegCo under Rule 83(1) of RoP ("Registration Form") to register his remunerated directorships on two occasions on 2 October 2008 and 4 May 2011 and shareholdings on three occasions, i.e. 2 October 2008, 4 May 2011 and 12 July 2011, the consolidated lists of which are in **Appendices IX(a) and (b)**.

Directorships

2.4 Mr FOK registered his directorship in SJM Holdings Ltd.² (No. 6 in Appendix IX(a)) with the Clerk to LegCo on 4 May 2011.

² According to Hon Timothy FOK, the nature of business of SJM Holdings Ltd. is travel and entertainment.

Shareholdings

2.5 Mr FOK also registered and de-registered his shareholdings in the following companies with the Clerk to LegCo on 4 May 2011:

Registration

- (a) Pastone Ltd.³ (No. 18 in Appendix IX(b));

De-registration

- (b) Hsudia Jewelry Ltd.⁴ (No. 14 in Appendix IX(b)); and
- (c) Riverfront Holdings Ltd.⁵ (No. 33 in Appendix IX(b)).

2.6 As such registration of remunerated directorship as well as registration and de-registration of shareholdings with the Clerk to LegCo by Mr FOK took place after the relevant news reports were published on 26 and 27 April 2011, CMI invited Mr FOK to provide information to assist CMI in its consideration of the complaints against him.

Response from Hon Timothy FOK

2.7 The information provided by Mr FOK is in **Appendices IX(c)(i) and (ii)**, a summary of which is set out below:

- (a) *SJM Holdings Ltd.* - he has been a remunerated director of SJM Holdings Ltd. since 30 August 2010. The reason for not registering his directorship in this company with the Clerk to LegCo until 4 May 2011 was due to "omission".
- (b) *Pastone Ltd.* - he does not own more than 1% of the issued share capital of Pastone Ltd. He registered his shareholding in this company with the Clerk to LegCo on 4 May 2011 due to "omission"⁶.

³ According to Hon Timothy FOK, the nature of business of Pastone Ltd. is investment.

⁴ According to Hon Timothy FOK, the nature of business of Hsudia Jewelry Ltd. is jewelry retail.

⁵ According to Hon Timothy FOK, the nature of business of Riverfront Holdings Ltd. is investment.

⁶ Hon Timothy FOK de-registered his shareholding interest in Pastone Ltd. with the Clerk to LegCo on 12 July 2011.

- (c) *Hsudia Jewelry Ltd.* - the company ceased business operation in October 2002, and he ceased to own more than 1% of the issued share capital of this company on 17 July 2009. The reason for not de-registering his shareholding in this company with the Clerk to LegCo until 4 May 2011 was due to "omission".
- (d) *Riverfront Holdings Ltd.* - he owns more than 1% of the issued share capital of Riverfront Holdings Ltd. He registered his shareholding in this company with the Clerk to LegCo on 2 October 2008. The reason for de-registering his shareholding in the company with the Clerk to LegCo on 4 May 2011 was due to "omission"⁷.

CMI's consideration and conclusions of the complaints

2.8 Under Rule 83(1), (3) and (5)(a) and (h) of RoP, a Member shall furnish to the Clerk to LegCo particulars of his remunerated directorships, and particulars of his shareholdings if he owns more than 1% of the issued share capital of a company, within the specified period. The relevant provisions of Rule 83 of RoP are set out in paragraphs 1.11 and 1.12 of Chapter 1 of this Report. CMI notes that the main purpose of establishing the Register of Members' Interests is to give public notification on a continuous basis of those pecuniary interests held by Members which might reasonably be thought by others to influence their actions, speeches or votes in LegCo. For this reason, CMI considers that Rule 83(1) of RoP may be construed as Members having a continuing obligation to maintain registration of a registrable interest throughout each legislative term or for as long as such interest subsists.

2.9 On the basis of the information gathered by CMI and that provided by Hon Timothy FOK (a summary of which is in **Appendix IX(d)**), CMI considers that:

Directorship

- (a) Mr FOK had failed to register with the Clerk to LegCo his directorship in SJM Holdings Ltd. within 14 days of his becoming a remunerated director of the company on 30 August 2010, as required under Rule 83(3) of RoP;

⁷ Hon Timothy FOK re-registered his shareholding interest in Riverfront Holdings Ltd. with the Clerk to LegCo on 12 July 2011.

Shareholdings

- (b) Mr FOK had failed to register with the Clerk to LegCo the changes in his shareholding interest in Hsudia Jewelry Ltd. within 14 days of his ceasing to own more than 1% of the issued share capital of the company on 17 July 2009, as required under Rule 83(3) of RoP; and
- (c) while Mr FOK had registered his shareholding interest in Riverfront Holdings Ltd. with the Clerk to LegCo on 2 October 2008 before the first meeting of the current legislative term held on 8 October 2008 in accordance with Rule 83(1) of RoP, he erroneously de-registered the interest on 4 May 2011 and did not re-register it until 12 July 2011. As a result, Mr FOK had failed to maintain registration of such interest between 4 May 2011 and 11 July 2011, as required under Rule 83(1) of RoP.

2.10 CMI notes Mr FOK's admissions and explanation that the late registration of his directorship interest in SJM Holdings Ltd., the late de-registration of his shareholding interest in Hsudia Jewelry Ltd. and the erroneous de-registration of his shareholding interest in Riverfront Holdings Ltd. with the Clerk to LegCo were due to omission. CMI accepts that Mr FOK's omission was due to his inadvertence.

2.11 Given Mr FOK's admissions, CMI considers that the complaints against Mr FOK are substantiated and decides that no further investigation is necessary in accordance with Paragraph (11) of the Procedure.

2.12 CMI notes that the purpose of establishing the Register of Members' Interests is to provide information of pecuniary interests held by a Member which might influence his role as a LegCo Member. CMI also notes that while Rule 83 of RoP sets out a reasonable minimum requirement of interests to be registered, it does not prohibit Members from registering interests beyond those set out in that Rule. As Mr FOK's late de-registration of his shareholding interest in Hsudia Jewelry Ltd. with the Clerk to LegCo on 4 May 2011 has not impeded the public's monitoring of his interests, CMI considers that Mr FOK's breach is less serious than that of failing to register a registrable interest.

2.13 CMI also notes that Mr FOK registered his shareholding interest in Pastone Ltd. with the Clerk to LegCo on 4 May 2011, although he is not required to do so under Rule 83(1) or (3) of RoP as he does not own more than 1% of the issued share capital of the company. CMI considers that while Mr FOK's registration of such interest with the Clerk to LegCo does not constitute a breach of Rule 83 of RoP, his registration may have misled the public that he owns more than 1% of the issued share capital of the company.

2.14 CMI considers that there is nothing in the information provided by Mr FOK or that contained in the Register of Members' Interests in respect of Mr FOK to indicate that Mr FOK's late registration of his directorship in SJM Holdings Ltd., late de-registration of his shareholding in Hsudia Jewelry Ltd. and non-registration of his shareholding in Riverfront Holdings Ltd. between 4 May 2011 and 11 July 2011 as required by Rule 83 of RoP were deliberate or thus far involve any conflict of interests with his role as a LegCo Member.

2.15 On the basis of the facts gathered and considerations as set out above and in view of the past experience, CMI has decided not to recommend any sanction against Mr FOK under Rule 85 of RoP.

CHAPTER 3

Complaints against Hon Mrs Sophie LEUNG

3.1 This Chapter sets out the complaints against Hon Mrs Sophie LEUNG, the information gathered by CMI to facilitate its consideration of the complaints against Mrs LEUNG, Mrs LEUNG's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaints against Mrs LEUNG.

The complaints

3.2 The complaints alleged that Hon Mrs Sophie LEUNG had failed to register her remunerated directorships and her shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

3.3 CMI notes that since the beginning of the current legislative term and following the publication of the relevant news reports on 26 and 27 April 2011 referred to in the complaints against Mrs LEUNG, Mrs LEUNG has completed and furnished to the Clerk to LegCo the relevant pages in the Registration Form to register her remunerated directorships on two occasions on 6 October 2008 and 8 October 2010 and shareholdings on five occasions, i.e. 6 October 2008, 8 October 2010, 21 January 2011, 27 April 2011 and 19 May 2011, the consolidated lists of which are in **Appendices X(a) and (b)**.

3.4 Mrs LEUNG registered her shareholdings in the following eight companies with the Clerk to LegCo on 27 April 2011:

- (a) Agro Development Limited⁸ (No.1 in Appendix X(b));
- (b) Club Unity Limited⁹ (No. 6 in Appendix X(b));

⁸ According to Hon Mrs Sophie LEUNG, the nature of business of Agro Development Limited is investment.

⁹ According to Hon Mrs Sophie LEUNG, the nature of business of Club Unity Limited is investment.

- (c) Colonial Development Limited¹⁰ (No.7 in Appendix X(b));
- (d) PacAsia Holding Limited¹¹ (No. 18 in Appendix X(b));
- (e) Shunde Pacific Limited¹² (No. 20 in Appendix X(b));
- (f) Sunny Champ International Limited¹³ (No. 23 in Appendix X(b));
- (g) Supplies (Asia Pacific) Company Limited¹⁴ (No. 25 in Appendix X(b)); and
- (h) Web Resource Limited¹⁵ (No. 28 in Appendix X(b)).

3.5 On 19 May 2011, Mrs LEUNG de-registered her shareholdings in four of the above eight companies, namely Agro Development Limited, Club Unity Limited, PacAsia Holding Limited and Sunny Champ International Limited, with the Clerk to LegCo.

3.6 As such registration and de-registration of shareholdings with the Clerk to LegCo by Mrs LEUNG took place after the relevant news reports were published on 26 and 27 April 2011, members invited Mrs LEUNG to provide information to assist CMI in its consideration of the complaints against her.

Response from Hon Mrs Sophie LEUNG

3.7 Mrs LEUNG's replies are in **Appendix X(c)**, a summary of which is set out below:

- (a) *Agro Development Limited* - she acquired more than 1% of the issued share capital of Agro Development Limited on 27 July 1998. The reason for not registering her shareholding in the company with the Clerk to LegCo until 27 April 2011 was due to an oversight on her part, and she ceased to own any shares in this company on 3 May 2011¹⁶. The company had no business operations or activities between June 1998 and May 2011.

¹⁰ According to Hon Mrs Sophie LEUNG, the nature of business of Colonial Development Limited is investment.

¹¹ According to Hon Mrs Sophie LEUNG, the nature of business of PacAsia Holding Limited is investment holdings.

¹² According to Hon Mrs Sophie LEUNG, the nature of business of Shunde Pacific Limited is investment.

¹³ According to Hon Mrs Sophie LEUNG, the nature of business of Sunny Champ International Limited is a corporation for holding a vehicle registration mark.

¹⁴ According to Hon Mrs Sophie LEUNG, the nature of business of Supplies (Asia Pacific) Company Limited is investment.

¹⁵ According to Hon Mrs Sophie LEUNG, the nature of business of Web Resource Limited is investment.

¹⁶ Hon Mrs Sophie LEUNG de-registered her shareholding in Agro Development Limited with the Clerk to LegCo on 19 May 2011.

- (b) *Club Unity Limited* - the company was formerly known as "Education Abroad Services (Hong Kong) Ltd." before December 2008. She acquired more than 1% of the issued share capital of the company on 24 November 2000. The reason for not registering her shareholding in this company as an interest with the Clerk to LegCo until 27 April 2011 was due to an oversight on her part¹⁷. The company, which had no business operations or activities, was de-registered from the Companies Registry on 6 May 2011.
- (c) *Colonial Development Limited* - she acquired more than 1% of the issued share capital of Colonial Development Limited on 2 November 2007. The company had held property. The reason for not registering her shareholding in this company with the Clerk to LegCo until 27 April 2011 was due to an oversight on her part. Application had been made with the Companies Registry on 19 January 2011 to de-register the company.
- (d) *PacAsia Holdings Limited* - she does not own any shares in PacAsia Holdings Limited of which she is its non-remunerated director. The company was erroneously registered with the Clerk to LegCo as one in which she held more than 1% shareholding due to an oversight on her part¹⁸.
- (e) *Shunde Pacific Limited* - she acquired more than 1% of the issued share capital of Shunde Pacific Limited on 28 June 1996. The company had held property. She registered her shareholding in this company with the Clerk to LegCo on 6 October 2008, but she de-registered it on 8 October 2010. She subsequently re-registered her shareholding in the company with the Clerk to LegCo on 27 April 2011. The reason for erroneously de-registering her shareholding in the company with the Clerk to LegCo on 8 October 2010 was due to an oversight on her part. Application had been made with the Companies Registry on 21 February 2011 to de-register the company.

¹⁷ Hon Mrs Sophie LEUNG de-registered her shareholding in Club Unity Limited with the Clerk to LegCo on 19 May 2011.

¹⁸ Hon Mrs Sophie LEUNG de-registered her shareholding in PacAsia Holdings Limited with the Clerk to LegCo on 19 May 2011.

- (f) *Sunny Champ International Limited* - she does not own any shares in Sunny Champ International Limited of which she is its non-remunerated director. The company was erroneously registered with the Clerk to LegCo as one in which she held more than 1% shareholding due to an oversight on her part¹⁹.
- (g) *Supplies (Asia Pacific) Company Limited* - she acquired more than 1% of the issued share capital of Supplies (Asia Pacific) Company Limited on 20 April 1999. The company had held property. Application had been made with the Companies Registry on 4 May 2011 to de-register the company. The reason for not registering her shareholding in this company with the Clerk to LegCo until 27 April 2011 was due to an oversight on her part.
- (h) *Web Resource Limited* - she acquired more than 1% of the issued share capital of Web Resources Limited on 19 January 2004. The company had no business activities, apart from being an investor in Charity Merchandizing Promotion Co. Ltd. The reason for not registering her shareholding in this company with the Clerk to LegCo until 27 April 2011 was due to an oversight on her part. Application had been made with the Companies Registry on 21 February 2011 to de-register the company.

CMI's consideration and conclusions of the complaints

3.8 CMI notes that under Rule 83(1), (3) and (5)(a) and (h) of RoP, a Member shall furnish to the Clerk to LegCo particulars of his remunerated directorships, and particulars of his shareholdings if he owns more than 1% of the issued share capital of a company, within the specified period. This requirement does not hinge on the company owning any assets or carrying on any business, commercial or other activities. Accordingly, a Member must furnish particulars of his shareholdings to the Clerk to LegCo even if the company of which he owns more than 1% of the issued share capital does not own any assets or carry on any business, commercial or other activities. The relevant provisions of Rule 83 of RoP are set out in paragraphs 1.11 and 1.12 of Chapter 1 of this Report.

¹⁹ Hon Mrs Sophie LEUNG de-registered her shareholding in Sunny Champ International Limited with the Clerk to LegCo on 19 May 2011.

3.9 CMI also notes that the main purpose of establishing the Register of Members' Interests is to give public notification on a continuous basis of those pecuniary interests held by Members which might reasonably be thought by others to influence their actions, speeches or votes in LegCo. For this reason, Rule 83(1) of RoP may be construed as Members having a continuing obligation to maintain registration of a registrable interest throughout each legislative term or for as long as such interest subsists.

3.10 On the basis of the information gathered by CMI and that provided by Hon Mrs Sophie LEUNG (a summary of which is in **Appendix X(d)**), CMI considers that Mrs LEUNG had failed to register more than 1% of the shareholdings in the following five companies with the Clerk to LegCo not later than the first meeting, i.e. on 8 October 2008, of the current legislative term, as required under Rule 83(1) of RoP:

- (a) Agro Development Limited (shares acquired on 27 July 1998);
- (b) Club Unity Limited (shares acquired on 24 November 2000);
- (c) Colonial Development Limited (shares acquired on 2 November 2007);
- (d) Supplies (Asia Pacific) Company Limited (shares acquired on 20 April 1999); and
- (e) Web Resource Limited (shares acquired on 19 January 2004).

3.11 CMI also considers that while Mrs LEUNG had registered her shareholding interest in Shunde Pacific Limited with the Clerk to LegCo on 6 October 2008 before the first meeting of the current legislative session held on 8 October 2008 in accordance with Rule 83(1) of RoP, she had erroneously de-registered the interest on 8 October 2010 and did not re-register it until 27 April 2011. As a result, Mrs LEUNG had failed to maintain registration of her shareholding interest with the Clerk to LegCo between 8 October 2010 and 26 April 2011 as required under Rule 83(1) of RoP.

3.12 CMI notes Mrs LEUNG's admissions and explanation that her failure to furnish within the specified time limit particulars of her shareholdings in (i) Agro Development Limited; (ii) Club Unity Limited; (iii) Colonial Development Limited; (iv) Supplies (Asia Pacific) Company Limited, (v) Web Resource Limited and (vi) Shunde Pacific Limited to the Clerk to LegCo was due to an oversight on her part.

3.13 Given Mrs LEUNG's admissions, CMI considers that the complaints against Mrs LEUNG are substantiated and decides that no further investigation is necessary in accordance with Paragraph (11) of the Procedure.

3.14 CMI further notes that Mrs LEUNG registered her shareholding interests in PacAsia Holdings Limited and Sunny Champ International Limited with the Clerk to LegCo on 27 April 2011, although she is not required to do so under Rule 83(1) or (3) of RoP as she does not own any share in these companies. CMI considers that while Mrs LEUNG's registration of these interests with the Clerk to LegCo does not constitute a breach of Rule 83 of RoP, her registration may have misled the public that she owns more than 1% of the issued share capital of these two companies.

3.15 CMI considers that there is nothing in the information provided by Mrs LEUNG or that contained in the Register of Members' Interests in respect of Mrs LEUNG to indicate that Mrs LEUNG's late registration of her shareholdings in (i) Agro Development Limited; (ii) Club Unity Limited; (iii) Colonial Development Limited; (iv) Supplies (Asia Pacific) Company Limited, and (v) Web Resource Limited as well as the non-registration of her shareholding in (vi) Shunde Pacific Limited between 8 October 2010 and 26 April 2011 as required by Rule 83 of RoP were deliberate or thus far involve any conflict of interests with her role as a LegCo Member.

3.16 On the basis of the facts gathered and considerations as set out above and in view of the past experience, CMI has decided not to recommend any sanction against Mrs LEUNG under Rule 85 of RoP.

CHAPTER 4

Complaints against Hon Andrew LEUNG

4.1 This Chapter sets out the complaints against Hon Andrew LEUNG, the information gathered by CMI to facilitate its consideration of the complaints against Mr LEUNG, Mr LEUNG's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaints against Mr LEUNG.

The complaints

4.2 The complaints alleged that Hon Andrew LEUNG had failed to register his remunerated directorships and his shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

4.3 CMI notes that since the beginning of the current legislative term and following the publication of the relevant news reports on 26 and 27 April 2011 referred to in the complaints against Mr LEUNG, Mr LEUNG has completed and furnished to the Clerk to LegCo the relevant pages in the Registration Form to register his remunerated directorships on two occasions on 4 October 2008 and 27 April 2011 and shareholdings on 4 October 2008, the consolidated lists of which are in **Appendices XI(a) and (b)**.

4.4 Mr LEUNG registered and de-registered his directorships in the following companies with the Clerk to LegCo on 27 April 2011:

Registration

- (a) China South City Holdings Limited²⁰ (No. 4 in Appendix XI(a));

²⁰ According to Hon Andrew LEUNG, the nature of business of China South City Holdings Limited is integrated logistics and trade centres.

- (b) CN Innovations Holdings Limited²¹ (No. 5 in Appendix XI(a));

De-registration

- (c) Cherish Partners Limited²² (No. 2 in Appendix XI(a)); and
- (d) Meadville Holdings Limited²³ (No. 15 in Appendix XI(a)).

4.5 As such registration and de-registration of directorships with the Clerk to LegCo by Mr LEUNG took place after the relevant news reports were published on 26 and 27 April 2011, CMI invited Mr LEUNG to provide information to assist CMI in its consideration of the complaints against him.

Response from Hon Andrew LEUNG

4.6 Mr LEUNG's replies are in **Appendix XI(c)**, a summary of which is set out below:

- (a) *China South City Holdings Limited* - he has been a remunerated director of China South City Holdings Limited since 4 September 2009. The reason for not registering his directorship in this company with the Clerk to LegCo until 27 April 2011 was due to an oversight by his personal assistant.
- (b) *CN Innovations Holdings Limited* - he has been a remunerated director of CN Innovations Holdings Limited since 1 April 2011. The reason for not registering his directorship in this company with the Clerk to LegCo until 27 April 2011 was because the appointment document was not ready until mid-April 2011.
- (c) *Cherish Partners Limited* - he did not hold any remunerated directorship in Cherish Partners Limited. The company was erroneously registered with the Clerk to LegCo as one of which he was a remunerated director was due to an oversight by his personal assistant²⁴.

²¹ According to Hon Andrew LEUNG, the nature of business of CN Innovations Holdings Limited is trading.

²² According to Hon Andrew LEUNG, the nature of business of Cherish Partners Limited is trading.

²³ According to Hon Andrew LEUNG, the nature of business of Meadville Holdings Limited is investment holding.

²⁴ Hon Andrew LEUNG de-registered his directorship in Cherish Partners Limited with the Clerk to LegCo on 27 April 2011.

- (d) *Meadville Holdings Limited* - he ceased to be a remunerated director of Meadville Holdings Limited on 1 June 2010. The reason for not de-registering his directorship in this company with the Clerk to LegCo until 27 April 2011 was due to an oversight by his personal assistant.

CMI's consideration and conclusions of the complaints

4.7 CMI notes that under Rule 83(1), (3) and (5)(a) and (h) of RoP, a Member shall furnish to the Clerk to LegCo particulars of his remunerated directorships, and particulars of his shareholdings if he owns more than 1% of the issued shared capital of a company, within the specified period. The relevant provisions of Rule 83 of RoP are set out in paragraphs 1.11 and 1.12 of Chapter 1 of this Report.

4.8 On the basis of the information gathered by CMI and that provided by Hon Andrew LEUNG (a summary of which is in **Appendix XI(d)**), CMI considers that Mr LEUNG:

- (a) had failed to register with the Clerk to LegCo his directorships in China South City Holdings Limited and CN Innovations Holdings Limited within 14 days of his being appointed as a director of these two companies on 4 September 2009 and 1 April 2011 respectively, as required under Rule 83(3) of RoP; and
- (b) had failed to de-register Meadville Holdings Limited with the Clerk to LegCo within 14 days of his ceasing to be a remunerated director of this company on 1 June 2010, as required under Rule 83(3) of RoP.

4.9 CMI notes Mr LEUNG's admissions and explanation that:

- (a) the late registration of his directorship in China South City Holdings Limited was due to an inadvertent oversight by his personal assistant and a genuine oversight on his part without any intention of deliberately concealing the appointment from the public;
- (b) the late registration of his directorship in CN Innovations Holdings Limited was because the appointment document was not ready until mid-April 2011; and
- (c) the late de-registration of his directorship in Meadville Holdings Limited was due to an inadvertent oversight by his personal assistant.

However, Mr LEUNG accepts there has been a non-compliance of Rule 83(3) of RoP, for which he accepts full responsibilities for the oversight of his staff.

4.10 Given Mr LEUNG's admissions, CMI considers that the complaints against Mr LEUNG are substantiated and decides that no further investigation is necessary in accordance with Paragraph (11) of the Procedure.

4.11 CMI notes that the purpose of establishing the Register of Members' Interests is to provide information of pecuniary interests held by a Member which might influence his role as a LegCo Member. CMI also notes that while Rule 83 of RoP sets out a reasonable minimum requirement of interests to be registered, it does not prohibit Members from registering interests beyond those set out in that Rule. CMI considers that as Mr LEUNG's late de-registration of his directorship interest in Meadville Holdings Limited with the Clerk to LegCo on 27 April 2011 has not impeded the public's monitoring of his interests, Mr LEUNG's breach is less serious than that of failing to register a registrable interest.

4.12 CMI further notes that Mr LEUNG registered with the Clerk to LegCo his directorship interest in Cherish Partners Ltd. on 27 April 2011, although he is not required to do so under Rule 83(1) or (3) of RoP as he does not hold any remunerated directorship in the company. CMI considers that while Mr LEUNG's registration of such interest with the Clerk to LegCo does not constitute a breach of Rule 83 of RoP, his registration may have misled the public that he is a remunerated director of the company.

4.13 CMI considers that there is nothing in the information provided by Mr LEUNG or that contained in the Register of Members' Interests in respect of Mr LEUNG to indicate that Mr LEUNG's late registration of his directorship interests in China South City Holdings Limited and CN Innovations Holdings Limited and late de-registration of his directorship interest in Meadville Holdings Limited with the Clerk to LegCo as required by Rule 83 of RoP were deliberate or thus far involve any conflict of interests with his role as a LegCo Member.

4.14 On the basis of the facts gathered and considerations as set out above and in view of the past experience, CMI has decided not to recommend any sanction against Mr LEUNG under Rule 85 of RoP.

CHAPTER 5

Complaints against Hon CHIM Pui-chung

5.1 This Chapter sets out the complaints against Hon CHIM Pui-chung, the information gathered by CMI to facilitate its consideration of the complaints against Mr CHIM, Mr CHIM's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaints against Mr CHIM.

The complaints

5.2 The complaints alleged that Hon CHIM Pui-chung had failed to register his remunerated directorships and his shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

5.3 CMI notes that since the beginning of the current legislative term, Mr CHIM has not registered any remunerated directorship with the Clerk to LegCo but has completed and furnished to the Clerk to LegCo the relevant page in the Registration Form to register his shareholdings on four occasions, i.e. 8 October 2008, 11 November 2009, 29 January 2010 and 12 July 2011, the consolidated list of which is in **Appendix XII(a)**.

5.4 In the light of the complaints against Mr CHIM set out in paragraph 5.2 above, members invited Mr CHIM to provide information and explanations on the allegations made in the news reports referred to in the complaints against him that although he was a director of and held 3% shares in Ginza Development Ltd. (through which he indirectly held over 2.99% shares in Carrianna Chiu Chow Restaurant Ltd.) as well as holding 2% shares in Carrianna Chiu Chow Restaurant (T.S.T.) Limited²⁵ ("Carrianna TST"), he did not register such interests with the Clerk to LegCo.

²⁵ According to Hon CHIM Pui-chung, the nature of business of Carrianna Chiu Chow Restaurant (T.S.T.) Limited is restaurant.

Response from Hon CHIM Pui-chung and information obtained from the Companies Registry

5.5 In his reply dated 30 May 2011 (**Appendix XII(b)**), Mr CHIM indicated that he owned 3% of Ginza Development Ltd. and that he indirectly held shares in Carrianna Chiu Chow Restaurant Ltd. and Carrianna TST through Ginza Development Ltd. He had sold his shares in Ginza Development Ltd. to other people and Carrianna TST had ceased operation many years ago. He did not receive any remuneration from Ginza Development Ltd. As Mr CHIM did not indicate in his reply the date(s) on which he acquired and sold the shares of Ginza Development Ltd., Carrianna Chiu Chow Restaurant Ltd. and Carrianna TST and whether he held remunerated directorships in these three companies, the Secretariat requested Mr CHIM to provide such information.

5.6 In his further reply dated 10 June 2011 (**Appendix XII(c)**), Mr CHIM indicated that he had acquired more than 1% of the issued share capital of Ginza Development Ltd. and Carrianna Chiu Chow Restaurant Ltd. on 1 April 1982 and ceased to own any shares in these two companies on 3 February 2004. He was not a remunerated director of these two companies.

5.7 As Mr CHIM did not furnish information on the date on which he acquired more than 1% of the issued share capital of Carrianna TST, the Secretariat conducted company searches at the Companies Registry to obtain the relevant information. According to the annual returns filed by Carrianna TST with the Companies Registry containing information made up to 26 February 2008, 26 February 2009, 26 February 2010 and 26 February 2011 respectively, Mr CHIM held 2% of the issued share capital of the company as at these dates.

5.8 Mr CHIM confirmed in his reply (**Appendix XII(d)**) dated 8 July 2011 that he is not a remunerated director of Carrianna TST. The reason for not registering his shareholding in Carrianna TST with the Clerk to LegCo was because the restaurant had ceased business operation for many years²⁶ and he thought registration was not necessary²⁷.

²⁶ Hon CHIM Pui-chung confirmed in writing on 25 August 2011 that Carrianna TST had ceased operation since 2006.

²⁷ Hon CHIM Pui-chung registered his shareholding in Carrianna TST with the Clerk to LegCo on 12 July 2011.

CMI's consideration and conclusions of the complaints

5.9 CMI notes that under Rule 83(1), (3) and (5)(a) and (h) of RoP, a Member shall furnish to the Clerk to LegCo particulars of his remunerated directorships, and particulars of his shareholdings if he owns more than 1% of the issued share capital of a company within the specified period. This requirement does not hinge on the company carrying on or continuing to carry on any business, commercial or other activities. Accordingly, a Member must furnish particulars of his shareholdings to the Clerk to LegCo even if the company of which he owns more than 1% of the issued share capital has ceased to carry on any business, commercial or other activities. The relevant provisions of Rule 83 of RoP are set out in paragraphs 1.11 and 1.12 of Chapter 1 of this Report.

5.10 Based on the information gathered by CMI and that provided by Hon CHIM Pui-chung (a summary of which is in **Appendix XII(e)**), CMI considers that the allegations against Mr CHIM for not registering his directorships and shareholdings in Ginza Development Ltd. and Carrianna Chiu Chow Restaurant Ltd. are not substantiated because Mr CHIM had ceased to own any shares in these companies on 3 February 2004 before the current legislative term commenced; nor was he a remunerated director of these two companies. CMI decides that there is no need to take further action in respect of these two companies.

5.11 In relation to Carrianna TST, CMI considers that Mr CHIM had failed to register with the Clerk to LegCo his shareholding interest in Carrianna TST by the first meeting (on 8 October 2008) of the current legislative term, as required under Rule 83(1) of RoP.

5.12 CMI notes Mr CHIM's admission and explanation that he had not registered his shareholding interest in Carrianna TST with the Clerk to LegCo because he thought it was not necessary to register such shareholding as the restaurant business of the company had ceased operation since 2006. CMI further notes that Mr CHIM registered his shareholding in this company with the Clerk to LegCo on 12 July 2011.

5.13 Given Mr CHIM's admission, CMI considers that the allegations against Mr CHIM are substantiated in relation to Carrianna TST and decides that no further investigation is necessary in accordance with Paragraph (11) of the Procedure.

5.14 CMI considers that there is nothing in the information provided by Mr CHIM, that contained in the Register of Members' Interests in respect of Mr CHIM or that obtained from the Companies Registry in relation to Carrianna TST to indicate that Mr CHIM's omission/late registration of his shareholding in Carrianna TST as required by Rule 83 of RoP was deliberate or thus far involves any conflict of interests with his role as a LegCo Member.

5.15 On the basis of the facts gathered as set out above and in view of the past experience, CMI has decided not to recommend any sanction against Mr CHIM under Rule 85 of RoP.

CHAPTER 6

Complaints against Dr Hon Philip WONG

6.1 This Chapter sets out the complaints against Dr Hon Philip WONG, the information gathered by CMI to facilitate its consideration of the complaints against Dr WONG, Dr WONG's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaints against Dr WONG.

The complaints

6.2 The complaints alleged that Dr Hon Philip WONG had failed to register his remunerated directorships and his shareholdings of more than 1% of the issued share capital of companies and had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

6.3 CMI notes that since the beginning of the current legislative term and following the publication of the relevant news reports on 26 and 27 April 2011 referred to in the complaints against Dr WONG, Dr WONG has completed and furnished to the Clerk to LegCo the relevant pages in the Registration Form to register his directorships and shareholdings on two occasions, i.e. 6 October 2008 and 7 May 2011, the consolidated lists of which are in **Appendices XIII(a) and (b)**.

6.4 Dr WONG de-registered his directorships in the following companies with the Clerk to LegCo on 7 May 2011:

- (a) Elec & Eltek International Co. Ltd.²⁸ (No. 6 in Appendix XIII(a)); and
- (b) Rentokil Initial Hong Kong Ltd.²⁹ (No. 7 in Appendix XIII(a)).

²⁸ According to Dr Hon Philip WONG, the nature of business of Elec & Eltek International Co. Ltd. is manufacturing.

²⁹ According to Dr Hon Philip WONG, the nature of business of Rentokil Initial Hong Kong Ltd. is pest control operator.

6.5 Dr WONG also registered and de-registered his shareholdings in the following companies with the Clerk to LegCo on 7 May 2011:

Registration

(a) Kate International Development Ltd.³⁰ (No. 35 in Appendix XIII(b));

(b) Chapter Far East Ltd.³¹ (No. 36 in Appendix XIII(b));

De-registration

(c) Golden Force Pharmacy Ltd.³² (No. 26 in Appendix XIII(b));
and

(d) Golden Force Group (International) Ltd.³³ (No. 29 in Appendix XIII(b)).

6.6 As such de-registration of directorships as well as the registration and de-registration of shareholdings by Dr WONG with the Clerk to LegCo took place after the relevant news reports were published on 26 and 27 April 2011, members invited Dr WONG to provide information to assist CMI in its consideration of the complaints against him.

Response from Dr Hon Philip WONG

6.7 Dr WONG's replies are in Appendix XIII(c), a summary of which is set out below:

Directorships

(a) *Elec & Eltek International Co. Ltd.* - he ceased to be a remunerated director of Elec & Eltek International Co. Ltd. on 1 January 2010. The reason for not de-registering his directorship in this company with the Clerk to LegCo until 7 May 2011 was staff oversight.

³⁰ According to Dr Hon Philip WONG, the nature of business of Kate International Development Ltd. is investment.

³¹ According to Dr Hon Philip WONG, the nature of business of Chapter Far East Ltd. is investment.

³² According to Dr Hon Philip WONG, the nature of business of Golden Force Pharmacy Ltd. is investment holding.

³³ According to Dr Hon Philip WONG, the nature of business of Golden Force Group (International) Ltd. is investment and management.

- (b) *Rentokil Initial Hong Kong Ltd.* - he ceased to be a remunerated director of Rentokil Initial Hong Kong Ltd. on 1 January 2009. The reason for not de-registering his directorship in this company with the Clerk to LegCo until 7 May 2011 was staff oversight.

Shareholdings

- (a) *Kate International Development Ltd.* - he acquired more than 1% of the issued share capital of Kate International Development Ltd. on 26 October 2010. The reason for not registering his shareholding in this company with the Clerk to LegCo until 7 May 2011 was staff oversight. The company is a "\$2 company". It had no operational activities and was set up solely for the acquisition of a piece of property in Hong Kong.
- (b) *Chapter Far East Ltd.* - he acquired more than 1% of the issued share capital of Chapter Far East Ltd. on 26 October 2010. The reason for not registering his shareholding in this company with the Clerk to LegCo until 7 May 2011 was staff oversight. The company is a "\$2 company". It had no operational activities and was set up solely for the acquisition of a piece of property in Hong Kong.
- (c) *Golden Force Pharmacy Ltd.* - the company was dissolved on 25 June 2005. The reason for not de-registering his shareholding in this company with the Clerk to LegCo until 7 May 2011 was that "staff resigned" and the "staff replaced" did not pick up the information³⁴.
- (d) *Golden Force Group (International) Ltd.* - he owns more than 1% of the issued share of Golden Force Group (International) Ltd.³⁵ The reason for de-registering his shareholding in the company with the Clerk to LegCo on 7 May 2011 was that "staff resigned" and the "staff replaced" mistook that the company had been dissolved³⁶.

³⁴ Dr Hon Philip WONG registered his shareholding in Golden Force Pharmacy Ltd. with the Clerk to LegCo on 6 October 2008.

³⁵ Dr Hon Philip WONG registered his shareholding in Golden Force Group (International) Ltd. with the Clerk to LegCo on 6 October 2008.

³⁶ Dr Hon Philip WONG re-registered his shareholding in Golden Force Group (International) Ltd. with the Clerk to LegCo on 2 June 2011.

CMI's consideration and conclusions of the complaints

6.8 CMI notes that under Rule 83(1), (3) and (5)(a) and (h) of RoP, a Member shall furnish to the Clerk to LegCo particulars of his remunerated directorships, and particulars of his shareholdings if he owns more than 1% of the issued share capital of a company within the specified period. This requirement does not hinge on the company owning substantial assets or carrying on any business, commercial or other activities. Accordingly, a Member must furnish particulars of his shareholdings to the Clerk to LegCo even if the company of which he owns more than 1% of the issued share capital is a "\$2 company" and has no operational activities. The relevant provisions of Rule 83 of RoP are set out in paragraphs 1.11 and 1.12 of Chapter 1 of this Report.

6.9 CMI also notes that the main purpose of establishing the Register of Members' Interests is to give public notification on a continuous basis of those pecuniary interests held by Members which might reasonably be thought by others to influence their actions, speeches or votes in LegCo. For this reason, Rule 83(1) of RoP may be construed as Members having a continuing obligation to maintain registration of a registrable interest throughout each legislative term or for as long as such interest subsists.

6.10 On the basis of the information gathered by CMI and that provided by Dr Hon Philip WONG (a summary of which is in **Appendix XIII(d)**), CMI considers that:

Directorships

- (a) Dr WONG had failed to promptly de-register his directorships in Elec & Eltek International Co. Ltd. and Rentokil Initial Hong Kong Ltd. within 14 days of his ceasing to be a remunerated director of these two companies with the Clerk to LegCo, as required under Rule 83(3) of RoP;

Shareholdings

- (b) he had failed to promptly register his shareholdings in Kate International Development Ltd. and Chapter Far East Ltd. with the Clerk to LegCo within the 14-day prescribed period of his acquiring more than 1% of the issued share capital of these two companies, as required under Rule 83(3) of RoP;

- (c) he had failed to promptly de-register his shareholding in Golden Force Pharmacy Ltd. (which had been dissolved on 25 June 2005) with the Clerk to LegCo within the 14-day prescribed period, as required under Rule 83(3) of RoP; and
- (d) while Dr WONG had registered his shareholding interest in Golden Force Group (International) Ltd. with the Clerk to LegCo on 6 October 2008 before the first meeting of the current legislative term in accordance with Rule 83(1) of RoP, he had erroneously de-registered the interest with the Clerk to LegCo on 7 May 2011 and did not re-register it until 2 June 2011. As a result, Dr WONG had failed to maintain registration of such interest between 7 May 2011 and 1 June 2011 as required under Rule 83(1) of RoP.

6.11 CMI notes Dr WONG's admissions and explanation that:

- (a) the late de-registration of his directorships in Elec & Eltek International Co. Ltd. and Rentokil Initial Hong Kong Ltd. and late registration of his shareholdings in Kate International Development Ltd. and Chapter Far East Ltd. were due to staff oversight;
- (b) the late de-registration of his shareholding in Golden Force Pharmacy Ltd. was because "staff resigned" and the "staff replaced" did not pick up the information; and
- (c) the de-registration of his shareholding in Golden Force Group (International) Ltd. was because "staff resigned" and the "staff replaced" mistook that the company had been dissolved.

Nevertheless, CMI is of the view that while Dr WONG may delegate the administrative work relating to the registration of interests to his staff, he should not rely solely on them to perform the duty to make registration as it remains to be his own personal responsibility to ensure that the relevant rules are complied with.

6.12 Given Dr WONG's admissions, CMI considers that the complaints against Dr WONG are substantiated and decides that no further investigation is necessary in accordance with Paragraph (11) of the Procedure.

6.13 CMI notes that the purpose of establishing the Register of Members' Interests is to provide information of pecuniary interests held by a Member which might influence his role as a LegCo Member. CMI also notes that while Rule 83 of RoP sets out a reasonable minimum requirement of interests to be registered, it does not prohibit Members from registering interests beyond those set out in that Rule. As Dr WONG's late de-registration of his directorships in Elec & Eltek International Co. Ltd. and Rentokil Initial Hong Kong Ltd. and late de-registration of his shareholding in Golden Force Pharmacy Ltd. with the Clerk to LegCo on 7 May 2011 have not impeded the public's monitoring of his interests, CMI considers that Dr WONG's breach is less serious than that of failing to register a registrable interest.

6.14 CMI considers that there is nothing in the information provided by Dr WONG or that contained in the Register of Members' Interests in respect of Dr WONG to indicate that Dr WONG's (i) late de-registration of his directorships in Elec & Eltek International Co. Ltd. and Rentokil Initial Hong Kong Ltd., (ii) late registration of his shareholdings in Kate International Development Ltd. and Chapter Far East Ltd., (iii) late de-registration of his shareholding in Golden Force Pharmacy Ltd. and (iv) non-registration of his shareholding in Golden Force Group (International) Ltd. between 6 May 2011 and 1 June 2011 with the Clerk to LegCo as required by Rule 83 of RoP were deliberate or thus far involve any conflict of interests with his role as a LegCo Member.

6.15 On the basis of the facts gathered and considerations as set out above and in view of the past experience, CMI has decided not to recommend any sanction against Dr WONG under Rule 85 of RoP.

CHAPTER 7

Complaint against Hon IP Kwok-him

7.1 This Chapter sets out the complaint against Hon IP Kwok-him, the information gathered by CMI to facilitate its consideration of the complaint against Mr IP, Mr IP's response and explanations as well as CMI's consideration, conclusions and recommendations on the complaint against Mr IP.

The complaint

7.2 The complaint alleged that Hon IP Kwok-him had breached the Guidelines on Registration of Interests.

Information gathered by CMI

Register of Members' Interests

7.3 CMI notes that since the beginning of the current legislative term, Mr IP has not registered any shareholding but has completed and furnished to the Clerk to LegCo the relevant page in the Registration Form to register his directorships on two occasions on 3 October 2008 and 15 October 2008, and the consolidated list of which is in **Appendix XIV(a)**.

7.4 In the light of the complaint against Mr IP set out in paragraph 7.2 above, members invited Mr IP to provide information and explanations on the allegations made against him in the news reports referred to in the second complaint that he was a director of Modern Funeral Service Company Ltd. but his registrable interests with the Clerk to LegCo did not include Modern Funeral Service Company Ltd.

Response from Hon IP Kwok-him

7.5 In his reply dated 27 May 2011 (**Appendix XIV(b)**), Mr IP stated that he had resigned as a director of Modern Funeral Service Company Ltd. on 14 August 2007 and that he did not have any beneficial interest in shareholding of a nominal value greater than one-hundredth of the issued share capital in the company.

CMI's consideration and conclusions

7.6 As Mr IP had resigned as a director of Modern Funeral Service Company Ltd. on 14 August 2007 before the current legislative term commenced in October 2008 and he does not own more than 1% of the issued share capital in the company, CMI considers that the complaint against Mr IP for not registering his directorship and shareholding in the company is not substantiated. In accordance with Paragraph (12) of the Procedure, CMI decides that there is no need to take further action in respect of this case.

CHAPTER 8

Overall observations and comments

8.1 CMI notes with concern the lack of care exercised by Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung and Dr Hon Philip WONG in making their registration of interests as required under Rule 83 of RoP.

8.2 CMI also notes that Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG, Hon CHIM Pui-chung and Dr Hon Philip WONG only registered/de-registered the relevant interests with the Clerk to LegCo following the publication of the news reports referred to in the complaints against them. CMI considers that as LegCo Members, these five Members should have exercised due diligence and care to ensure compliance with Rule 83 of RoP, particularly after the tabling of the CMI Report on its consideration of the complaints against Hon LAU Wong-fat in relation to his failure to register interests with the Clerk to LegCo pursuant to Rule 83 of RoP ("the CMI Report") at the Council meeting of 13 April 2011.

8.3 In view of public expectation of the standards of behaviour of LegCo Members, Members should be vigilant and careful in complying with the registration requirements under Rule 83. Under Rule 83(1), not only must Members register their interests at the beginning of each legislative term, they must also ensure that such registration is accurately maintained throughout the term or for as long as the interests subsist. If, during the term, Members acquire any new interests or cease to hold any registered interests, they must promptly notify the Clerk to LegCo of the change in accordance with Rule 83(3).

8.4 Having regard to the terms of reference of CMI as set out in Rule 73(1) of RoP that it is CMI's duty to consider matters of ethics in relation to the conduct of Members in their capacity as such, Hon Mrs Sophie LEUNG, being the Chairman of CMI, should have been more vigilant in complying with Rule 83 of RoP.

8.5 Dr Hon Philip WONG explained the reason for his non-compliance with Rule 83 of RoP was oversight on the part of his staff. CMI wishes to reiterate its view as stated also in the CMI Report that while a Member may delegate his administrative work relating to the registration of interests to his staff, the Member should not solely rely on his staff to perform the duty to make registration as it remains to be his own responsibility to ensure that the relevant rules are complied with.

8.6 CMI again urges all Members to be more alert and maintain the highest standards of care, diligence and propriety in discharging their duty with regard to the registration and disclosure of their interests pursuant to the relevant rules of LegCo to avoid bringing disrepute upon the Council and serious consequences upon themselves.

議員個人利益監察委員會

委員名單

(2010 - 2011年度)

主席	梁劉柔芬議員, GBS, JP
副主席	劉慧卿議員, JP
委員	吳靄儀議員(自2010年2月26日起) 黃容根議員, SBS, JP 石禮謙議員, SBS, JP 梁家傑議員, SC (至2010年1月28日) 陳茂波議員, MH, JP 黃成智議員
秘書	蘇美利小姐
法律顧問	馮秀娟女士

Committee on Members' Interests

Membership List

(Year 2010 - 2011)

Chairman Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP

Deputy Chairman Hon Emily LAU Wai-hing, JP

Members Dr Hon Margaret NG (since 26 February 2010)
Hon WONG Yung-kan, SBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Alan LEONG Kah-kit, SC (up to 28 January 2010)
Hon Paul CHAN Mo-po, MH, JP
Hon WONG Sing-chi

Clerk Miss Mary SO

Legal Adviser Ms Connie FUNG

議員個人利益監察委員會

職權範圍

- (1) 研究議員個人利益登記冊的編製、備存、取覽等各項安排；
- (2) 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；
- (3) 考慮與議員個人利益的登記及申報有關或就議員未有登記及申報其個人利益而作出的投訴，並經委員會考慮後如認為適當，調查該投訴；
(2006年第174號法律公告)
- (4) 考慮與第83AA條(申請發還工作開支或申請預支營運資金)所提述的議員行為有關的投訴，並經委員會考慮後如認為適當，調查該投訴；
(2006年第174號法律公告)
- (5) 考慮關乎議員以其議員身份所作行為的道德標準事宜，並就該等事宜提供意見及發出指引；及
- (6) 向立法會作出報告及建議，包括關於根據本議事規則第85條(與個人利益、工作開支或營運資金有關的處分)作出處分的建議。
(2006年第174號法律公告)

Committee on Members' Interests

Terms of Reference

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

**議員個人利益監察委員會
接獲有關議員登記或申報個人利益、
或議員申領工作開支償還款額的
投訴時的處理程序**

2009 年 1 月

THE PROCEDURE OF
THE COMMITTEE ON MEMBERS' INTERESTS
FOR HANDLING COMPLAINTS RECEIVED
IN RELATION TO THE REGISTRATION OR
DECLARATION OF MEMBERS' INTERESTS OR
MEMBERS' CLAIMS FOR REIMBURSEMENT OF
OPERATING EXPENSES

January 2009

議員個人利益監察委員會
接獲有關議員登記或申報個人利益、
或議員申領工作開支償還款額的
投訴時的處理程序

首次會議的召開

- (1) 議員個人利益監察委員會("委員會")接獲議員或市民(下稱"投訴人")就某位議員(下稱"被投訴的議員")登記或申報其個人利益或某位議員申領工作開支償還款額事宜所作出的書面投訴後，委員會秘書("秘書")須立即聯絡該投訴人及查證其身份，然後將該項投訴以機密文件方式發送給各委員，並請委員會主席("主席")（主席如不在香港或被投訴的議員是主席，秘書應請示副主席，下同）在兩個工作天內決定應否就此召開會議。若投訴(i)是由匿名、不能辨別身份或無法取得聯絡的人士作出、或(ii)是針對前任議員的，或(iii) 關乎議員被指稱在投訴日期之前 7 年或以上期間所作的作為或漏報事件，主席須指示秘書將該項投訴以機密文件方式發送給各委員備悉，但委員會不會考慮該項投訴。
- (2) 在決定應否就收到的投訴召開會議時，主席可就下列理由考慮無須舉行會議：
 - (a) 該項投訴與議員個人利益的登記或申報，或議員申領工作開支償還款額無關；
 - (b) 該項投訴的指控純屬臆測、推論或並非基於事實的判斷；
 - (c) 該項投訴涉及實質重複的指稱，而該等指稱已獲委員會處理，但如出示新的證據則作別論；或
 - (d) 主席認為其他適當的理由。
- (3) 若主席決定應召開會議，則須指示秘書安排委員會在緊隨的 7 個工作天內就該項投訴召開首次會議。

**The procedure of the Committee on Members' Interests
for handling complaints received
in relation to the registration or declaration of Members' interests or
Members' claims for reimbursement of operating expenses**

Convening the first meeting

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

- (4) 若主席決定無需召開會議，並如是向秘書發出指示及提供其理由，秘書須將主席的決定及其理由通知各委員。如有委員向秘書書面表示不同意該項決定，秘書須以書面傳閱方式，請委員會委員就應否召開會議考慮該項投訴在3個工作天內回覆秘書。秘書如在限期內收到過半數委員答覆贊成召開會議，秘書須請主席決定會議舉行的日期、時間及地點，以考慮該項投訴。首次會議舉行的日期須為緊隨的7個工作天之內。
- (5) 若主席作出不需召開會議的決定，並且沒有過半數委員在秘書發出傳閱文件後的3天限期內表示應召開會議，則委員會將不會就該項投訴採取進一步行動。

初步考慮

- (6) 委員會可就該項投訴舉行一次或多次會議，以考慮該項投訴。
- (7) 此等會議的目的為：
- (i) 確定投訴的內容及指稱事宜所涉及的《議事規則》條款；及
 - (ii) 掌握上述投訴及指稱事宜的有關資料，如：日期、金錢數額（若有的話）、涉及的人士等等。該等資料不得包括傳播媒介的報道、不具名人士所提供的資料、個別人士的猜測、推論或判斷。
- (8) 在考慮有關議員申領工作開支償還款額的投訴時，除了考慮委員會可能認為有關的任何其他事宜外，委員會須顧及《立法會議員申請發還工作開支的指引》的條文。
- (9) 委員會可邀請投訴人出席會議，並提交資料。委員會亦可邀請被投訴的議員出席會議作出解釋，以及提交資料。在作出邀請的同時，委員會須告知被投訴的議員，若他拒絕出席會議或在會議中拒絕回答委員會的提問，委員會可引用《立法會(權力及特權)條例》(第 382 章)所賦予的權力，命令他到委員會席前，作證或出示所管有的文件，並可安排他在宣誓後接受訊問。

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

Preliminary consideration

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

- (10) 被投訴的議員可由最多 3 名人士陪同出席委員會會議，向他提供協助或意見。這些人士可包括法律顧問，每次出席的陪同人士可以是不相同的。然而，被投訴的議員必須親自回答提問、作出解釋或提供資料。陪同人士不得向委員會發言。
- (11) 若被投訴的議員在此階段承認所有指稱事項，而委員會認為可就此決定投訴是否成立，並決定無須舉行研訊，委員會須向立法會提交報告，並建議向被投訴的議員施加何種處分。
- (12) 委員會若認為該項投訴不成立，可決定不進一步採取調查行動。

調查

- (13) 若委員會決定就該項投訴進行調查，委員會須指示秘書通知投訴人及被投訴的議員該項決定，並將所接獲有關投訴的資料提供予被投訴的議員。
- (14) 在進行研訊時，委員會可根據《立法會(權力及特權)條例》(第 382 章)第 9(1)條，命令任何人到委員會席前，作證或出示其所管有或控制的任何文據、簿冊、紀錄或文件。在該研訊中，委員會可安排此等證人在宣誓後接受訊問。委員會可要求投訴人、被投訴的議員及其他人在宣誓後確認其在先前會議提供的資料及陳述等。
- (15) 被投訴的議員有權就投訴的內容及有關事宜作出解釋、申辯及提交資料。被投訴的議員可由最多 3 名人士陪同出席委員會會議，向他提供協助或意見。這些人士可包括法律顧問，每次出席的陪同人士可以是不相同的。然而，被投訴的議員必須親自回答提問、作出解釋或提供資料。陪同人士不得向委員會發言。

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

Investigation

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

暫時中止有關投訴的工作

- (16) 在初步考慮或調查階段，若委員會獲悉該項投訴或有關事宜正由執法機關調查，或與在法庭待決的案件有關，委員會可暫時中止其調查，直至執法機關的調查或法律程序完結為止。

委員會作出投訴是否成立的決定

- (17) 若委員會決定有足夠證據證實投訴成立，便須將該決定通知投訴人及被投訴的議員。
- (18) 被投訴的議員在收到委員會決定投訴成立的通知後，可在緊隨的7個工作天內以書面向委員會提出覆檢其決定的要求，並可向委員會提交書面陳述及提交在較早前聆訊的時候無法獲得的資料。委員會在接獲被投訴的議員要求覆檢其決定的書面通知後，主席須指示秘書安排委員會在緊隨的7個工作天內就覆檢要求召開會議，聆聽被投訴的議員的解釋及覆檢其先前的決定。
- (19) 若委員會認為投訴成立，或委員會經覆檢後仍認為投訴成立，委員會須將該項投訴、證據及其意見向立法會提交報告。委員會亦可根據《議事規則》第 85 條，向立法會提交對被投訴的議員施加何種處分的建議。委員會在考慮是否建議作出處分，或建議何種處分時，須顧及被投訴的議員是否由於無心之失，以致違反了《議事規則》的有關規則。
- (20) 若委員會認為投訴不成立，委員會須將該項決定通知投訴人及被投訴的議員。委員會可決定是否就此向立法會提交報告。若委員會決定不就此向立法會提交報告，委員或任何其他人士不得披露關於該項投訴的任何資料；但委員會在公開會議中所取得的證據或所收到的文件除外。

Suspension of work on the complaint

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

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

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

保密規定

- (21) 出席委員會閉門會議的所有委員及其他人士(被投訴的議員除外),均須簽署保密承諾書,承諾在委員會將其報告提交立法會前,不會發表委員會所取得的證據、所收到的文件,或所作的考慮或決定。當委員會裁定某位委員或其他人士違反了其向委員會所作承諾,委員會將考慮是否及如何處置該委員或其他人士,並可採取行動,包括在立法會根據《議事規則》第 81 條(證據的過早發表)動議議案訓誡或譴責該委員,或由委員會通過議案,對該委員或其他人士違反承諾表達不滿。
- (22) 在委員會按第 17 或 20 段通知被投訴的議員委員會所作的決定前,被投訴的議員須簽署保密承諾書,承諾不會在委員會將其報告提交立法會前,發表委員會註明機密的文件。當委員會裁定被投訴的議員違反了其向委員會所作承諾,委員會將考慮是否及如何處置該議員,並可採取行動,包括由委員會通過議案對他違反承諾表達不滿。
- (23) 委員會的會議,包括聆訊的會議,須為閉門會議;但如被投訴的議員要求聆訊的會議為公開會議,則該等聆訊須在公開會議進行。
- (24) 聆訊中所聽取證供的謄本全文須盡量刊載於委員會的報告內,並作為該報告的一部分。

委員參與委員會的審議工作

- (25) 任何提出投訴或被投訴的委員會委員,均不得以委員會委員身份參與處理該項投訴或參與委員會審議或調查該項投訴的會議。

Confidentiality Requirement

- (21) All members and other persons attending meetings of the Committee held in camera (except the Member under complaint) shall be required to sign a confidentiality undertaking that they will not publish evidence taken before the Committee, documents produced to it, or its deliberations and decisions before the Committee has presented its report to the Council. Where the Committee finds that a member or other person has breached the undertaking he gave to the Committee, the Committee will consider whether and how to deal with the member or that other person, and may take actions including moving a motion in the Council for the admonishment or reprimand of the member under Rule 81 (Premature Publication of Evidence) of the Rules of Procedure, or passing a motion of the Committee expressing its disapproval of the member or that other person for breaching the undertaking.
- (22) Before the Committee informs the Member under complaint of its decision in accordance with paragraph 17 or 20, the latter shall be required to sign a confidential undertaking not to publish any document marked as confidential by the Committee before it has presented its report to the Council. Where the Committee finds that the Member under complaint has breached the undertaking he gave to the Committee, the Committee will consider whether and how to deal with the Member, and may take actions including passing a motion of the Committee expressing its disapproval of the Member for breaching the undertaking.
- (23) Meetings of the Committee, including those at which hearings are conducted, shall be held in camera. However, hearings shall be conducted at meetings held in public if the Member under complaint makes such a request.
- (24) The transcript of evidence taken at such hearings shall be published in full as far as possible and form part of the report of the Committee.

Participation of members in the deliberations of the Committee

- (25) No member of the Committee shall participate as a member of the Committee in the handling of a complaint or in the meetings of the Committee to deliberate on or inquire into a complaint where the complaint was made by or against him.

密 件
CONFIDENTIAL

To: <pid@legco.gov.hk>
From: [REDACTED]
Date: 04/28/2011 03:34PM
Subject: 申報利益事宜

立法會秘書處
秘書長
吳文華 女士

繼劉皇發議員未有按照規定申報利益後，明報於4月27日報導指有五名立法會議員『違反議員「個人利益登記指引」，違反範圍包括漏報受薪董事職位，以及漏報持有股權超過1%的公司利益』，報導指漏報的議員包括霍震霆議員、擔任「議員個人利益監察委員會」主席的梁劉柔芬議員、梁君彥議員、詹培忠議員和黃宜弘議員。

議員自身的利益可能影響其投票和立場取向，對香港市民有直接、切身的利益影響，因此議員實應以身作則，申報個人利益，以符合市民的期望。

就議員接二連三漏報利益事件，本人懇請立法會立即啟動調查機制，嚴肅跟進、徹查並向市民交代事件。

如有需要，貴會請先透過電郵與本人聯絡。謝謝！

香港市民
(電話： [REDACTED])

議員利益 梁劉柔芬漏報股權

監委主席

霍震霆被揭任澳博執董



偵查報道

本報記者偵查發現，立法會議員的利益申報紀錄漏報相當普遍。不單霍震霆議員漏報出任澳博控股（0880）執行董事，梁君彥也漏報出任華南城（1668）的獨立非執行董事，就連身為「議員個人利益監察委員會」主席的梁劉柔芬，亦曾漏報持有兩間公司股權最少逾兩年之久。

明報記者 林紹桐 周偉強

30 功能組議員 5 人漏報

繼去年9月，本報揭發立法會議員兼行政會議成員劉皇發，在行會申報紀錄上漏報物業買賣後，近日本報記者翻查30名功能組別議員的申報紀錄發現，最少5名立法會議員違反議員「個人利益登記指引」，違反範圍包括漏報受薪董事職位，以及漏報持有股權超過1%的公司利益（詳見上表）。

梁劉柔芬：申報有點論盡

根據公司註冊處資料，梁劉柔芬於2004年1月開始持有Web Resource Limited的五成股權，即使只按她於08年10月在立會申

報的紀錄計算，直至Web Resource今年2月申請撤銷註冊，梁劉柔芬漏報這公司股權最少逾2年之久。她昨晚回應時承認：「多年前為了鼓勵年輕人創業，用Web Resource入股一間預防皮膚癌產品的公司，最終投資了15萬至20萬元，持該產品公司最多約三分之一（股權），後來蝕咗，便申請解散。」

同時，梁劉柔芬又承認漏報持有一間Supplies (Asia Pacific) Company Limited的五成股權，她稱：「這間是空殼（即無業務）公司，我有時覺得個名得意，便留下來，看遲一些有没有用。」她承認是次申報的確有一點「論盡」。

霍震霆：多謝提我 應報番

另外，霍震霆去年8月底起擔任上市公司澳博執行董事，每年收取30萬元董事袍金，至今8個月仍未申報。本報記者致電霍震霆查詢，身在外地的他簡短回應說，「多謝你提我……我睇都應該要報番」。

梁君彥漏報非執董：做錯了

至於擔任職業訓練局主席等多個重要公職的梁君彥，自09年9月起出任上市公司華南城的獨立非執行董事，每年收取15萬元的董事袍金，但他擔任這受薪董事近兩年，從未按指引向立會申報，梁君彥答覆

本報記者電話查詢時，承認因助理疏忽而漏報這上市公司職位。梁強調，自己擔任多家上市公司董事職位，亦有在登記冊中申報。被問到會否重新申報時？梁君彥說：「做錯了，當然要補回。」

學者：無重罰先例 不理想

理工大學社會政策研究中心副主任鍾劍華表示，立法會議員作為法例的制訂者，絕不應該漏報個人利益。他稱：「很多立法會議員都好富貴，但應該（對申報利益）更謹慎，絕不能以忘記或股份比重較低為由而漏報，若真的出現疏漏，應盡快補回及向公眾道歉。」鍾又指個別議員或功能組別議員與商界關係千絲萬縷，議員在利益申報上更應符合公眾期望。

鍾劍華認為，以往立會就漏報事件的懲罰很輕，未能反映立會重視該等事件，給予社會不理想的示範，他希望立會嚴肅跟進漏報。

立法會議員個人利益監察委員會副主席劉慧卿表示，若議員申報出現問題，會令聲譽受損，呼籲議員盡快按指引詳細申報個人利益，以符合社會期望。

該會委員黃容根則表示，根據現時指引，若議員涉及直接或間接金錢利益，發言前要先披露，但他承認並沒規範化，「有人無講（利益），有時都無乜理」。

另5議員資料有出入 受薪才須申報 公眾查冊難監察

除有立法會議員漏報受薪董事職位、漏報持有公司股權之外，本報記者發現，最少有5名議員申報的私人公司董事職位，與公司註冊處所載資料不符；不過，鑑於規管議員的指引訂明，出任董事者必須受薪才須申報，而公眾又根本不能透過公開渠道查得私人公司是否有支薪給某董事，外界遂難以監察議員出任私人公司董事時是否受薪。

根據立法會《個人利益登記指引》，議員若於公共或私營公司擔任受薪董事或有

接受薪酬的僱傭關係，又或持有某公司發行股份面值逾1%股份，都須申報。立法會「個人利益監察委員會」若接獲市民投訴某議員申報利益的事宜，委員會將決定應否召開會議跟進，若認為投訴成立，最嚴重者可提出暫停職務議案，加以處分。

劉皇發漏報物業買賣不處分

然而，委員會過去鮮有因議員違反《指引》而譴責或處分。身兼行政會議成員及立法會議員的劉皇發，去年9月被本報揭發

漏報物業買賣，委員會調查後，本月中發表報告，指劉皇發雖無按照議事規則申報，但無證據顯示他蓄意漏報，決定不處分，僅作提點。

秘書處：《指引》屬最低合理規定

立法會秘書處回應本報查詢時表示，《指引》所載的定義應視為一般指引，議員應明智及負責任遵從。在登記個人利益方面，此等指引應被視為最低的合理規定。



梁劉柔芬(紡織及製衣界)

議員個人利益監察委員會主席

漏報利益詳情

持有私人公司 Web Resource Limited 50% 股份*，及持有 Supplies (Asia Pacific) Company Limited 50% 股份

議員解釋

承認可能漏報了持有這兩間公司的股權，她解釋成立 Web Resource 是為了幫助年輕人創業；Supplies 純粹是空殼公司，因其名稱得意而持有

*自2004年持有股權，該公司今年2月申請撤銷註冊

詹培忠(金融服務界)

漏報利益詳情

未有申報直接持有私人公司金必多3%股份，並透過金必多間接持有佳寧娜(潮州)酒樓逾2.99%股份；也沒申報持有佳寧娜潮州酒樓(尖沙嘴)2%股權

議員解釋

持有這些公司股份「好多年」，其中一間更暫停營運，認為漏報上市公司股份才算重要，漏報一事可交由公眾判斷

黃宜弘(商界)

漏報利益詳情

全資持有私人公司卓遠遠東

議員解釋

稱「根本無記憶有這間公司，可能漏咗……那間公司可能未有運作，我也不知道，我的伙計都沒有報給我聽」

梁君彥(工業界)

漏報利益詳情

上市公司華南城(1668)獨立非執行董事，每年董事袍金15萬元

議員解釋

稱一直透過助理申報公司董事職位，因助理一時疏忽，故未有申報，將會申報這董事職位

霍震霆

(體育、演藝、文化及出版界)

漏報利益詳情

上市公司澳博控股(0880)執行董事，每年董事袍金30萬元

議員解釋

稱自己身在外地，多謝記者提醒，會補回申報

註：根據立法會《議事規則》的「個人利益登記指引」，議員出任受薪公司董事，不論上市與否，必須申報；另持有公司股權逾1%，也必須申報

謝記者提醒 將辭任董事 葉國謙：是否受薪都應申報

立法會議員葉國謙昨出席電台節目時說，現時立法會有良好申報機制，「不論是受薪或無受薪（董事職位），公眾知道，都是一件好事」。

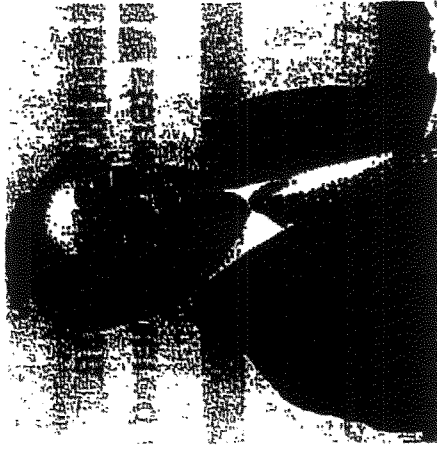
本報昨日報道葉國謙自2006年起出任「現代殞儀」公司的董事，並協助殞儀商競投政府殘債館經營權；葉國謙昨

解釋，由於一直沒有受薪，故毋須向立法會申報，同時因為誤以為「現代殞儀」投票失敗後已經「不存在」，所以沒有辭去董事職位。

葉國謙稱，自己與「公壽中西殞儀」大股東駱家強合組「現代殞儀」，於06年競投政府擁有業權的殞儀館經營權，最終投票失敗。他說：據他理解，投票失敗後，公司已經「不存在」了，「我亦應到自己不是董事，所以心中無這回事」。被問到稍後會否辭任「現代殞儀」董事時，他回應：「肯定會。」同時，葉又表示，多謝明報記者提醒他。

稱公司已無運作 未撤銷註冊

葉國謙又說，多年未有與駱家強聯絡，自己也是透過明報記者轉轉聯絡上他。葉又引述駱家強指出：「該公司（現代殞儀）已經停了，無運作，（國謙）應該不是董事。」然而，根據公司註冊處紀錄，現代殞儀不單在去年繼續呈交股東周年報表，紀錄上也没有顯示已處於撤銷註冊的程序中。



葉國謙昨在電台節目中表示，因為誤以為「現代殞儀」投票失敗後已經「不存在」，所以過去5年都沒有辭去董事職位。
(資料圖片)

詹培忠未報股份： 下年不做議員 理不得那麼多

立法會金融服務界議員詹培忠亦牽涉人瀟報之列，本報記者發現詹培忠持有的一些公司的股份，由08年任初開始至今約2年半，仍未向立法會秘書處申報。

根據公司註冊處資料顯示，詹培忠持有其任職公司董事的金必多發展3%股份，而金必多則持有佳寧娜（潮州）酒樓有限公司超過99%，即詹培忠持有佳寧娜（潮州）酒樓超過2.99%股權。同時詹亦持有佳寧娜潮州酒樓（尖沙嘴）有限公司2%股權。

詹培忠回應本報查詢表示：「佳寧娜尖沙嘴已經無咗（營運）喇，這些（股份）無用喇，係以前我剩落，金必多擁有灣仔佳寧娜，（股份）已經好耐，都成30年。」對於會否補回申報：「不

知道喇，我下年也不做（立法會議員），我也理不得那麼多，最主要是看有無涉及公眾利益，若認為我不對，那就不投我票，其實上市公司就要報，私人公司報來有什麼用？有時無咗，有時執又做番，好似尖沙嘴佳寧娜，有時執笠，有時閉番……我絕對不理，人家認為你對與否，就等別人判斷。」

黃宜弘：無記憶有這公司

另外，立法會商界議員黃宜弘涉漏報全資擁有的卓達遠東有限公司，該公司去年6月7日成立，按指引須於14天內申報。黃昨表示：「我根本無記憶有這間公司，可能漏咗……那間公司可能未有運作，我也不知道，我的伙計都沒有報給我聽。」

社 評

立會議員應嚴以律己 申報利益衝突勿馬虎

本報昨日報道立法會議員葉國謙漏報一間殯儀公司的董事身分，今日再揭發多名議員有類似情況，包括擔任公司受薪董事和擁有公司逾1%股權，有關議員都漏報，連「議員個人利益監察委員會主席」梁劉柔芬也漏報擁有一款的公司股權，情況顯示不少議員於申報個人利益，取態馬虎。立法會議員以發揮監察職能為己任，對於涉及一己道德操守，議員們要提高警惕，嚴格自我要求，以為社會表率，切勿出現寬以律己、嚴以律人的情況。

根據立法會《議事規則》的《個人利益登記指引》，若議員出任公司受薪董事，無論公司上市與否，都必須向立法會申報，另外，持有公司股權逾1%股權，也必須申報。按這兩個規定，起碼有5名立法會議員未符合要求，包括霍震霆、梁君彥、黃宜弘、詹培忠和梁劉柔芬。

霍震霆為上市公司澳博控股的執行董事，每年董事袍金30萬元；梁君彥是上市公司華南城獨立非執行董事，每年董事袍金15萬元。昨日本報報道的葉國謙議員漏報殯儀公司董事身分，他解釋從未受薪，依例毋須申報，與葉國謙的個案比較，霍震霆和梁君彥身為

公司受薪董事，並未申報，可確定未符合指引的規定。

至於黃宜弘議員，全資持有私人公司卓達遠東，未有申報，據稱公司從未營運；詹培忠持有私人公司金必多3%股權，透過金必多間接持有佳寧娜（潮州）酒樓2.99%股份，另外還持有尖沙嘴一家佳寧娜酒樓2%股權，都沒有申報。黃宜弘和詹培忠持有公司股權逾1%股權，並未申報，也可以確定未符合指引規定。另外，梁劉柔芬持有私人公司Web Resource Limited 50%股權及另一間公司的50%股權，她身為「議員個人利益監察委員會主席」，卻未就此申報，情況有點諷刺。

嚴格而言，這5名議員漏報之處，情節不算太嚴重。例如霍震霆和梁君彥，以他們的商家背景，為30萬、15萬元董事袍金而蓄意瞞瞞的可能性不大，至於黃宜弘、詹培忠和梁劉柔芬3人的漏報，可見的實際利益也不多，所以，他們的漏報，出於疏忽大意的可能性較大。不過，即使如此，也反映了部分立法會議員對於申報個人利益，並未認真看待，馬虎從事，遂出現違規的結果。事實上，我們也發現有立法會議員

的申報，做得較全面和仔細，例如陳茂波、方剛和石禮謙等，可見只要肯認真處理，清晰的申報完全做得到。

立法會議員一向監察政府、為市民發聲，其角色和職能，為大多數市民所倚重，但是「其身不正，何以正人？」所以，立法會議員應該保持警覺，先做好本分，在發言任事才會理直氣壯，發揮應有功能。立法會議員必須嚴以律己，才可以贏得市民信任，而一切要從做好、做足申報個人利益開始。

另外，任公司董事，只要未受薪就毋須申報的規定，我們認為值得商榷。除了上述6人，本報記者以「寧缺勿錯」原則篩選，選發現有其他議員擔任公司董事，都沒有申報，他們大概與葉國謙一樣，認為並未受薪，依例毋須申報，可見「不申報公司董事」，在部分立法會議員之間是「潛規則」。議員申報有物業或擁有公司股權，一般較能換算實際金錢利益；至於擔任公司董事是否受薪，只能靠議員的誠信。不過，涉及利益的事，單憑一個「信」字，未能使大家都安心，有必要在制度上明確規定。

立法會專責委員會就梁展文到新世界集團任職高

層，在報告中強烈批評梁展文，措詞之嚴厲，甚為罕見。對於梁展文與新世界之間是否涉及「延後報酬」，報告其實並無確切證據，不過結論認為絕不恰當。以梁展文事件來看立法會議員擔任公司董事，即使眼前並未受薪，但是，日後會否有「延後報酬」，誰可以說一定沒有？所以，立法會議員若認為梁展文陷身瓜田李下，則對擔任公司董事，也應該有此警惕。

立法會應該修訂《個人利益登記指引》，規定議員擔任公司董事，無論有否受薪，都要申報，這樣，一方面顯示議員坦蕩蕩，公開一切可能涉及利益的職位，讓公眾監察，同時可以起到強化議員的公信力，有助和有利他們發揮職能。

葉國謙議員的殯儀公司董事身分，被本報揭露後，他昨日接受傳媒訪問時清晰地表示，即使沒有受薪也應該申報。葉國謙這個態度，值得肯定。我們認為，若立法會修訂指引，規定議員必須申報擔任公司董事，自是最恰當做法，若指引不作修訂，立法會議員也應該主動申報，讓議員的誠信，並非空話一句，而是可以讓公眾確切看得見交代。【相關新聞刊A2】

密 件
CONFIDENTIAL

To: <pid@legco.gov.hk>
From: [REDACTED]
Date: 05/05/2011 11:03AM
Subject: 要求就議員漏報利益作出調查

立法會秘書長：

《明報》在2011年4月26日及27日報道了葉國謙、黃宜弘、梁劉柔芬、詹培忠、霍震霆和梁君彥等六位議員違反議員「個人利益登記指引」，本人作為一個普通市民，看到這樣的新聞甚感不安，認為事態可大可小，但可惜這段日子還看不到任何跟進。議員的利益會影響他們的立場和投票結果，以及有否涉及利益輸送等，故就多位議員漏報利益，本人希望立法會即時作出調查及向市民作出交代。

Best regards,

[REDACTED]

葉國謙助殯儀商投政府牌

議員促主動披露避嫌 葉：沒受薪毋須申報



偵查報道

立法會和中西區區議會雙料議員葉國謙，5年前開始出任一間名叫「現代殯儀」的公司董事，協助該公司競投政府擁有業權、位於紅磡一間殯儀館的5年經營牌照。雖然競投牌照失敗，葉國謙繼續擔任該公司董事至今，一直不為外界所知。

葉國謙回覆本報記者查詢時，最初表示完全不知悉此事，但稍後承認曾在2006年與人合組公司，競投紅磡政府殯儀館經營權，企圖「打破市場上的壟斷」。他強調，出任董事從沒受薪，依例毋須申報。 明報記者

本報記者翻查公司註冊處紀錄發現，葉國謙06年9月簽名登記成為「現代殯儀服務有限公司」創始董事，該公司主要股東為駱家強及其女兒駱敏儀等人。駱家強同時經營老牌長生店「公壽中西殯儀」，公壽與現代殯儀的申報地址，都是上環四方街同一地舖。

先稱不認識股東父女 後稱有印象

葉國謙前日回覆本報記者時表現驚訝，稱完全不認識駱家父女，「有問殯儀公司？我完全不知，沒印象。登記有我名？我真是未聽過！」記者告知，公司註冊處上的「葉國謙」簽名與立法會文件簽名非常相似，並寫有身分證號碼，葉國謙稱感到奇怪，「身分證號碼的確是我的」，更一度懷疑有人假冒其身分充任董事。

投標「希望打破壟斷」

約半小時後，葉國謙稱翻查資料後，發現「確有此事」。他解釋：「當年經朋友介紹，見過一個姓駱的，與他合組公司（現

代殯儀）投標」，競投位於紅磡由政府殯儀館經營權，願景是「希望打破業界的壟斷」。葉國謙稱，「後來投標失敗，就當沒了那回事；如果成功，就可能當受薪董事」。他否認收過現代殯儀任何利益或薪金。然而，根據公司註冊處紀錄，葉國謙至今仍未辭任現代殯儀董事。

葉國謙表示，一直以為現代殯儀這間公司已經不存在，所以沒有辭職，沒料到自己至今仍是董事，他已要求駱家交代。

大股東拒回應會否再聯手投標

本報記者昨致電現代殯儀大股東駱家強查詢，駱拒絕回應現代殯儀有否經營業務，「我公司的事情，無必要向你們交代」，也拒絕回答今年會否再次與葉國謙攜手競投政府殯儀館未來5年的經營權，然後掛斷電話。

於03年落選中西區區議會的葉國謙，07和08年先後重返區議會和立法會，擔任雙料議員至今，並成為中西區議會食物環境衛生及工務委員會委員，而現代殯儀關連公司公壽的營業地址正位於中西區上環，其殯儀商牌照由食環署批出。

根據規管議員的《個人利益登記指引》，議員若出任公司的受薪董事，便要向立法會、區議會申報，然而葉國謙說，出任現代殯儀以來，從沒收取過分毫，故毋須申報。

曾任中西區區議員、現任立法會議員何秀蘭指出，議員在中報利益時，但凡任何與商業活動有關連者，宜仔細申報，尤其各區議會正討論骨灰位遷址，「如果（葉國謙）議員贊成中西區增加骨灰位，當區殯儀業會多了生意」。

何秀蘭說，既然葉國謙為殯儀「外行人」，聯同私人機構投標，難免令人聯想對方想借公職人員之名，增加投標成功率，故葉國謙當選議員後，應向外界申報有關董事職位。

立法會議員兼中西區區議員甘乃威指出，當中有否涉利益衝突不能一概而論，但申報制度精神在於讓公眾知悉議員參與管理什麼公司，無論葉國謙受薪與否，亦建議他向議會申報。

回應與葉交往 總經理先認後封口

「現代殯儀」關連殯商公壽中西殯儀的總經理駱敏儀，上周接受本報記者以顧客身分查詢是否與議員葉國謙有來往時，她修正記者問題並答謂：「不是譚耀宗，是葉國謙。」及後本報另一記者以記者身分兩度致電查詢，為何現代殯儀聘葉國謙任董事，她先是拒絕回應，後來索性掛線。



本報記者以顧客身分向公壽查詢時，中西殯儀總經理駱敏儀（圖）承認與葉國謙有來往。（明報記者攝）

駱敏儀除了是持有現代殯儀15%股權的股東和董事外，也是公壽總經理。本報記者致電駱敏儀，查詢有關葉國謙任職現代殯儀董事一事時，駱最初表示：「你知不知道我是誰？……但我不知道你是誰，我不會在電話中接受訪問。」記者於是再次表明身分，並追問有關現代殯儀與公壽的關係。她多次重申「不接受訪問」，又說「收不到老闆指示接受訪問，不好意思」，接著便掛斷電話。

家族經營 第四代接手增曝光

有近90年歷史的公壽殯儀，是港島歷史悠久的老牌長生店，位於四方街現址，與現代殯儀的申報地址一樣，而公壽持牌人駱家強也是持有現代殯儀五成權益的大股東。

駱敏儀表示，公壽至今已傳了四代。公壽為港島區6間持牌殯商之一。駱敏儀近年從父親駱家強手上接棒，公壽的媒體曝光率亦逐漸增加。2006年，公壽

破天荒在德國採購兩輛平治房車，將之改裝成爲靈車後引入香港，提供獨家西式豪華出殯服務。據公壽職員透露，該公司可獨家邀請寶蓮寺住持高僧釋智慈法師下山，爲逝世的先人誦經超渡，「其他公司無可能請到」。不過，公壽的服務收費亦比同區其他長生店昂貴，單單釋智慈帶領僧侶誦經，收費便需要萬多元。

雙料議員合營 同行詫異

記者向中西區其他殯儀店查詢葉國謙與公壽的關係時，他們或感詫異，或感難以置信，不相信有立法會區議會雙料議員在該公司當董事，「全行都知公壽一向是家族自己經營，無理由有外人」。

有殯儀商表示，一般替殯儀公司「做事」或介紹客人的有關係人士，不需要進入公司管理架構，亦可收取一定回佣作報酬，行內稱爲「跑街」，部分「跑街」會到殯房兜客，部分「跑街」則僅靠個人關係網招攬客戶。

官辦殯儀館招標 盈利豐業界必爭

立法會議員葉國謙表示，2006年與公壽老闆駱家強聯手投標的殯儀館項目，其實正是紅磡三大殯儀館之一的世盛殯儀館，這是唯一一間由香港政府擁有業權的殯儀館，06年由世界殯儀館以近億元，透過政府招標投得經營權，5年經營期預料今年底屆滿，食環署預計今年內會把經營權重新招標。

有業內人士指出，該殯儀館位置甚佳，故06年公開招標時成爲多個殯儀商兵家必爭之地。

殯儀業商會永遠會長吳耀棠表示，06年世盛殯儀館第二次公開招標經營權

時，吸引各行內人合組公司參與競投。他說，本身也認識公壽長生店，但從未聽說過公壽大股東曾與葉國謙聯手競投經營權，「其實外界好難知道邊個成立公司參與投標」。對於這間合約公司至今仍未解散，吳耀棠表示「好難講」，可能他們今年會再接再厲，競投新一輪的牌照。

去屆中標價近億元

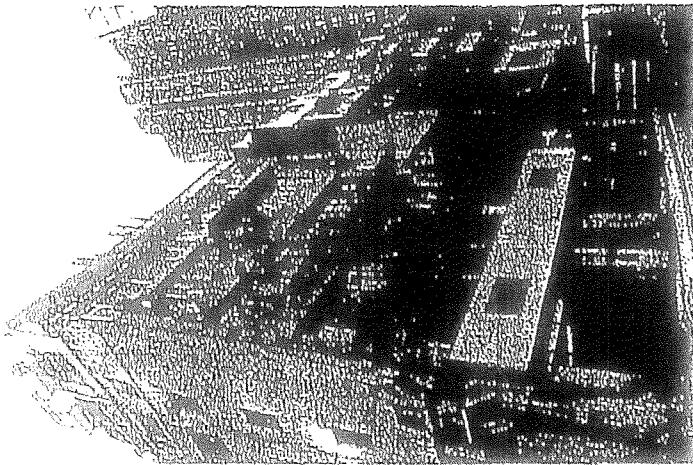
位於紅磡暢行道6號、鄰近世界和萬國等殯儀「老字號」的世盛殯儀館，在80年代正式落成啓用，由於殯儀廳使用率

一直偏低，政府01年公開予私營機構競投殯儀經營權。經營棺材生意的李誠與生意伙伴合作，以約2000萬元投得該館5年經營權，並命名爲永恒殯儀館，李誠曾向媒體承認，殯儀館盈利能力甚佳。

06年，永恒殯儀館的經營權臨近屆滿，吸引多個財團參與競投新一輪經營權，最後世界殯儀館以9120萬元，即以逾150萬元月租、比01年高逾3倍的價錢，奪得2007年起的5年經營權，改名爲世盛殯儀館。近年，本港對骨灰盒需求殷切，政府有意把世盛殯儀館現時空置的員工宿舍改建成骨灰龕。

公事中西殯儀

由老開路家強控制，是港島區6家持牌殯儀館之一，開業近90年，位於上環四方街。



(劉俊傑攝)

另組公司

董事名單	
葉家強	50%
劉嘉蓮	35%
駱敏儀	15%
何國威	-
鄧華強	-
葉國謙	-

葉國謙接受查詢，初時回應稱完全不認識駱家子女，「有間殯儀公司？我完全不知，沒印象。登記有我名？我真是未聽過！」他後來改稱有印象，承認駱氏一家邀請他當董事，合作經營政府的殯儀館經營權。

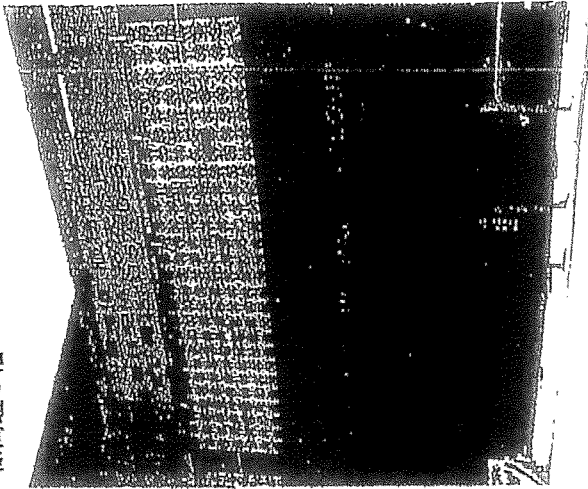
(資料圖片)

現代殯儀與葉國謙關係

現代殯儀

06年投標

現時唯一由政府擁有業權的殯儀館，每5年公開招標，是殯儀業兵家必爭之地，06年世界殯儀館組成財團以逾9000萬元投得經營權，較01年首次招標高逾3倍。



(余俊元攝)

世益殯儀

議員利益 梁劉柔芬漏報股權

監委主席

霍震霆被揭任澳博執董



偵查報道

本報記者偵查發現，立法會議員的利益申報紀錄漏報相當普遍。不單霍震霆議員漏報出任澳博控股（0880）執行董事，梁君彥也漏報出任華南城（1668）的獨立非執行董事，就連身為「議員個人利益監察委員會」主席的梁劉柔芬，亦曾漏報持有兩間公司股權最少逾兩年之久。

明報記者 林紹桐 周偉強

30功能組議員 5人漏報

繼去年9月，本報揭發立法會議員兼行政會議成員劉皇發，在行會申報紀錄上漏報物業買賣後，近日本報記者翻查30名功能組別議員的申報紀錄發現，最少5名立法會議員違反議員「個人利益登記指引」，違反範圍包括漏報受薪董事職位，以及漏報持有股權超過1%的公司利益（詳見上表）。

梁劉柔芬：申報有點論盡

根據公司註冊處資料，梁劉柔芬於2004年1月開始持有Web Resource Limited的五成股權，即使只按她於08年10月在立會申

報的紀錄計算，直至Web Resource今年2月申請撤銷註冊，梁劉柔芬漏報這公司股權最少逾2年之久。她昨晚回應時承認：「多年前為了鼓勵年輕人創業，用Web Resource入股一間預防皮膚癌產品的公司，最終投資了15萬至20萬元，持該產品公司最多約三分之一（股權），後來她吃，便申請解散。」

同時，梁劉柔芬又承認漏報持有一間Supplies (Asia Pacific) Company Limited的五成股權，她稱：「這間是空殼（即無業務）公司，我有時覺得個名得意，便留下來，看遲一些有没有用。」她承認是次申報的確有一點「論盡」。

霍震霆：多謝提我 應報番

另外，霍震霆去年8月底起擔任上市公司澳博執行董事，每年收取30萬元董事袍金，至今8個月仍未申報，本報記者致電霍震霆查詢，身在外地的他簡短回應說：「多謝你提我……我睇都應該要報番」。

梁君彥漏報非執董：做錯了

至於擔任職業訓練局主席等多個重要公職的梁君彥，自09年9月起出任上市公司華南城的獨立非執行董事，每年收取15萬元的董事袍金，但他擔任這受薪董事近兩年，從未按指引向立會申報，梁君彥答覆

本報記者電話查詢時，承認因助理疏忽而漏報這上市公司職位。梁強調，自己擔任多家上市公司董事職位，亦有在登記冊中申報，被問到會否重新申報時？梁君彥說：「做錯了，當然要補回。」

學者：無重罰先例 不理想

理工大學社會政策研究中心副主任鍾劍華表示，立法會議員作為法例的制訂者，絕不應核漏報個人利益。他稱：「很多立法會議員都好富貴，但應該（對申報利益）更謹慎，絕不能以忘記或股份比重較低為由而漏報，若真的出現疏漏，應盡快補回及向公眾道歉。」鍾又指個別議員或功能組別議員與商界關係千絲萬縷，議員在利益申報上更應符合公眾期望。

鍾劍華認為，以往立會就漏報事件的懲罰很輕，未能反映立會重視該等事件，給予社會不理想的示範，他希望立會嚴肅跟進漏報。

立法會議員個人利益監察委員會副主席劉慧卿表示，若議員申報出現問題，會令聲譽受損，呼籲議員盡快按指引詳細申報個人利益，以符合社會期望。

該會委員黃容根則表示，根據現時指引，若議員涉及直接或間接金錢利益，發言前要先披露，但他承認並沒規範化，「有人無講（利益），有時都無包埋」。

另5議員資料有出入 受薪才須申報 公眾查冊難監察

除有立法會議員漏報受薪董事職位、漏報持有公司股權之外，本報記者發現，最少有5名議員申報的私人公司董事職位，與公司註冊處所載資料不符；不過，鑑於規管議員的指引訂明，出任董事者必須受薪才須申報，而公眾又根本不能透過公開渠道查得私人公司是否有支薪給某董事，外界遂難以監察議員出任私人公司董事時是否受薪。

根據立法會《個人利益登記指引》，議員若於公共或私營公司擔任受薪董事或有

接受薪酬的僱傭關係，又或持有某公司發行股份面值逾1%股份，都須申報。立法會「個人利益監察委員會」若接獲市民投訴某議員申報利益的事宜，委員會將決定應否召開會議跟進，若認為投訴成立，最嚴重者可提出暫停職務議案，加以處分。

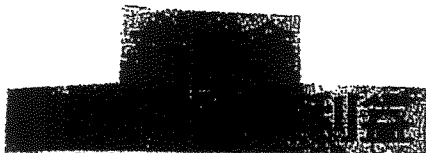
劉皇發漏報物業買賣不處分

然而，委員會過去鮮有因議員違反《指引》而譴責或處分。身兼行政會議成員及立法會議員的劉皇發，去年9月被本報揭發

漏報物業買賣，委員會調查後，本月中發表報告，指劉皇發雖無按照議事規則申報，但無證據顯示他蓄意漏報，決定不處分，僅作提點。

秘書處：《指引》屬最低合理規定

立法會秘書處回應本報查詢時表示，《指引》所載的定義應視為一般指引，議員應明智及負責任遵從。在登記個人利益方面，此等指引應被視為最低的合理規定。



梁劉柔芬(紡織及製衣界)

議員個人利益監察委員會主席

漏報利益詳情

持有私人公司 Web Resource Limited 50% 股份*，及持有 Supplies (Asia Pacific) Company Limited 50% 股份

議員解釋

承認可能漏報了持有這兩間公司的股權，她解釋成立 Web Resource 是為了幫助年輕人創業；Supplies 純粹是空殼公司，因其名稱得意而持有

*自 2004 年持有股權，該公司今年 2 月申請撤銷註冊

詹培忠(金融服務界)

漏報利益詳情

未有申報直接持有私人公司金必多 3% 股份，並透過金必多間接持有佳寧娜(潮州)酒樓逾 2.99% 股份；也沒申報持有佳寧娜潮州酒樓(尖沙嘴) 2% 股權

議員解釋

持有這些公司股份「好多年」，其中一間更暫停營運，認為漏報上市公司股份才算重要，漏報一事可交由公眾判斷

黃宜弘(商界)

漏報利益詳情

全資持有私人公司卓達遠東

議員解釋

稱「根本無記憶有這間公司，可能漏咗……那間公司可能未有運作，我也不知道，我的伙計都沒有報給我聽」

梁君彥(工業界)

漏報利益詳情

上市公司華南城(1668)獨立非執行董事，每年董事袍金 15 萬元

議員解釋

稱一直透過助理申報公司董事職位，因助理一時疏忽，故未有申報，將會申報這董事職位

霍震霆

(體育、演藝、文化及出版界)

漏報利益詳情

上市公司澳博控股(0880)執行董事，每年董事袍金 30 萬元

議員解釋

稱自己身在外地，多謝記者提醒，會補回申報

註：根據立法會《議事規則》的「個人利益登記指引」，議員出任受薪公司董事，不論上市與否，必須申報；另持有公司股權逾 1%，也必須申報

謝記者提醒 將辭任董事 葉國謙：是否受薪都應申報

立法會議員葉國謙昨早出席電台節目時說，現時立法會有良好申報機制，「不論是否受薪或無受薪（董事職位），讓公眾知道，都是一件好事」。

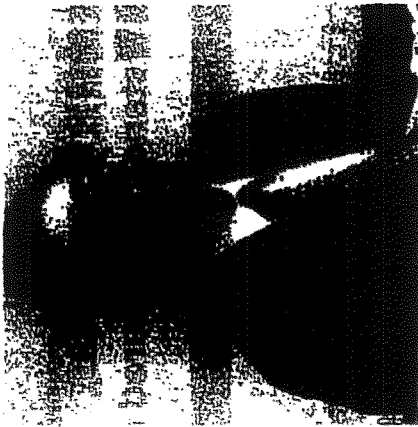
本報昨日報道葉國謙自2006年轉出任「現代預備」公司的董事，並協助陳穎南競投政府預備棧經營權；葉國謙昨

解釋，由於一直沒有受薪，故毋須向立法會申報，同時因為誤以為「現代預備」投票失敗後已經「不存在」，所以沒有辭去董事職位。

葉國謙續稱，自己與「公壽中西預備」大股東駱家強合組「現代預備」，於06年競投政府預備棧經營權，經營權，最終投標失敗。他說，據他理解，投票失敗後，公司已經「不存在」，「我亦以為自己不是董事，所以心中無遺憾」。被問到稍後會否辭任「現代預備」董事時，他回應：「肯定會。」同時，葉又表示，多謝明報記者提醒他。

稱公司已無運作 未撤銷註冊

葉國謙又說，多年未有與駱家強聯絡，自己也是透過明報記者轉轉聯絡上他。葉又引述駱家強指出：「該公司（現代預備）已經停了，無運作，（葉國謙）應該不是董事。」然而，根據公司註冊處紀錄，現代預備不單在去年繼續呈交股東周年報表，紀錄上也沒有顯示已處於撤銷註冊的程序中。



葉國謙昨早電台節目中表示，因為誤以為「現代預備」投票失敗後已經「不存在」，所以過去5年都沒有辭去董事職位。
(資料圖片)

詹培忠未報股份： 下年不做議員 理不得那麼多

立法會金融服務界議員詹培忠亦牽涉人瀆職之列，本報記者發現詹培忠持有至一些公司的股份，由08年任期開始至今約2年半，仍未向立法會秘書處申報。

根據公司註冊處資料顯示，詹培忠持有其任職公司董事的金必多發展3%股份，而金必多則持有佳寧娜（潮州）酒樓有限公司超過99%，即詹培忠持有佳寧娜（潮州）酒樓超過2.99%股權。同時詹亦持有佳寧娜潮州酒樓（尖沙嘴）有限公司2%股權。

詹培忠回應本報查詢表示：「佳寧娜尖沙嘴已經無咗（營運）喇，這些（股份）無用喇，係以前我剩落，金必多擁有灣仔佳寧娜，（股份）已經好耐，都成30年。」對於會否補回申報：「不

知道喇，我下年也不做（立法會議員），我也理不得那麼多，最主要是看有無涉及公眾利益，若認為我不對，那就不投我票，其實上市公司就要報，私人公司報來有什麼用？有時無咗，有時又做番，好似尖沙嘴佳寧娜，有時執笠，有時開番……我絕對不理，人家認為你對與否，就等別人判斷。」

黃宜弘：無記憶有這公司

另外，立法會商界議員黃宜弘涉瀆職全資擁有的卓達遠東有限公司，該公司去年6月7日成立，按指引須於14天內申報。黃昨表示：「我根本無記憶有這間公司，可能漏咗……那間公司可能未有運作，我也不知道，我的伙計都沒有報給我聽。」

社 評

立會議員應嚴以律己 申報利益衝突勿馬虎

本報昨日報道立法會議員葉國謙漏報一間殯儀公司的董事身分，今日再揭發多名議員有類似情況，包括擔任公司受薪董事和擁有公司逾1%股權，有關議員都漏報，連「議員個人利益監察委員會主席」梁劉柔芬也漏報擁有一家的公司股權，情況顯示不少議員於申報個人利益，取態馬虎。立法會議員以發揮監察職能為己任，對於涉及一己道德操守，議員們要提高警惕，嚴格自我要求，以為社會表率，切勿出現寬以律己、嚴以律人的情況。

根據立法會《議事規則》的《個人利益登記指引》，若議員出任公司受薪董事，無論公司上市與否，都必須向立法會申報，另外，持有公司股權逾1%股權，也必須申報。按這兩個規定，起碼有5名立法會議員未符合要求，包括霍震霆、梁君彥、黃宜弘、詹培忠和梁劉柔芬。

霍震霆為上市公司澳博控股的執行董事，每年董事袍金30萬元；梁君彥是上市公司華南城獨立非執行董事，每年董事袍金15萬元。昨日本報報道的葉國謙議員漏報殯儀公司董事身分，他解釋從未受薪，依例毋須申報，與葉國謙的個案比較，霍震霆和梁君彥身為

公司受薪董事，並未申報，可確定未符合指引的規定。

至於黃宜弘議員，全資持有私人公司卓達遠東，未有申報，據稱公司從未營運；詹培忠持有私人公司金必多3%股權，透過金必多間接持有佳寧娜（潮州）酒樓2.99%股份，另外還持有尖沙嘴一家佳寧娜酒樓2%股權，都沒有申報。黃宜弘和詹培忠持有公司股權逾1%股權，並未申報，也可以確定未符合指引規定。另外，梁劉柔芬持有私人公司Web Resource Limited 50%股權及另一間公司的50%股權，她身為「議員個人利益監察委員會主席」，卻未就此申報，情況有點諷刺。

嚴格而言，這5名議員漏報之處，情節不算太嚴重。例如霍震霆和梁君彥，以他們的商家背景，為30萬、15萬元董事袍金而蓄意隱瞞的可能性不大，至於黃宜弘、詹培忠和梁劉柔芬3人的漏報，可見的實際利益也不多，所以，他們的漏報，出於疏忽大意的可能性較大。不過，即使如此，也反映了部分立法會議員對於申報個人利益，並未認真看待，馬虎從事，遂出現違規的結果。事實上，我們也發現有立法會議員

的申報，做得較全面和仔細，例如陳茂波、方剛和石禮謙等，可見只要肯認真處理，清晰的申報完全做得到。

立法會議員一向監察政府、為市民發聲，其角色和職能，為大多數市民所倚重，但是「其身不正，何以正人？」所以，立法會議員應該保持警覺，先做好本分，在發言任事才會理直氣壯，發揮應有功能。立法會議員必須嚴以律己，才可以贏得市民信任，而一切要從做好、做足申報個人利益開始。

另外，任公司董事，只要未受薪就毋須申報的規定，我們認為值得商榷。除了上述6人，本報記者以「寧缺勿錯」原則篩選，選發現有其他議員擔任公司董事，都沒有申報，他們大概與葉國謙一樣，認為並未受薪，依例毋須申報，可見「不申報公司董事」，在部分立法會議員之間是「潛規則」。議員申報有物業或擁有公司股權，一般較能換算實際金錢利益；至於擔任公司董事是否受薪，只能靠議員的誠信。不過，涉及利益的事，單憑一個「信」字，未能使大家都安心，有必要在制度上明確規定。

立法會專責委員會就梁展文到新世界集團任職高

層，在報告中強烈批評梁展文，措詞之嚴厲，甚為罕見。對於梁展文與新世界之間是否涉及「延後報酬」，報告其實並無確切證據，不過結論認為絕不恰當。以梁展文事件來看立法會議員擔任公司董事，即使眼前並未受薪，但是，日後會否有「延後報酬」，誰可以說一定沒有？所以，立法會議員若認為梁展文陷身瓜田李下，則對擔任公司董事，也應該有此警惕。

立法會應該修訂《個人利益登記指引》，規定議員擔任公司董事，無論有否受薪，都要申報，這樣，一方面顯示議員坦蕩蕩，公開一切可能涉及利益的職位，讓公眾監察，同時可以起到強化議員的公信力，有助和有利他們發揮職能。

葉國謙議員的殯儀公司董事身分，被本報揭露後，他昨日接受傳媒訪問時清晰地表示，即使沒有受薪也應該申報。葉國謙這個態度，值得肯定。我們認為，若立法會修訂指引，規定議員必須申報擔任公司董事，自是最恰當做法，若指引不作修訂，立法會議員也應該主動申報，讓議員的誠信，並非空話一句，而是可以讓公眾確切看得見的交代。【相關新聞刊A2】

香港特別行政區立法會議事規則
第 83 條

83. 個人利益的登記

- (1) 除按第(2)款的規定就個人利益作登記的目的外，每名議員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格式，向立法會秘書提供其須予登記的個人利益詳情。

(1999 年第 107 號法律公告)

- (2) 每名新任立法會議員，須在其為填補立法會議員空缺而成為立法會議員的日期起計 14 天內，以立法會主席批准的格式，向立法會秘書提供其須予登記的個人利益詳情。
- (3) 每名議員須予登記的個人利益如有變更，該議員須在變更後 14 天內，以立法會主席批准的格式，向立法會秘書提供變更詳情。
- (4) 立法會秘書須安排將該等詳情登錄於議員個人利益登記冊內，而該登記冊可供任何人士在辦公時間內查閱。

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

83. Registration of Interests

- (1) Except for the purpose of making registration of interests under subrule (2), every Member shall, not later than the first meeting of each term, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests. (*L.N. 107 of 1999*)
- (2) Every new Member of the Legislative Council shall, within 14 days from the date of his becoming a new Member to fill a vacant seat, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests.
- (3) Every Member shall furnish to the Clerk, in such form as may be approved by the President, particulars of any change in such registrable interests, within 14 days of any such change.
- (4) The Clerk shall cause those particulars to be entered in a Register of Members' Interests and that register shall be available for inspection by any person during office hours.

- (5) 在本條中，"須予登記的個人利益"指
- (a) 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)第 2(4)條所指的另一間公司的附屬公司，亦指該另一間公司的名稱；
(2006 年第 73 號法律公告)
 - (b) 接受薪酬的僱傭關係、職位、行業、專業或職業；
 - (c) 客戶的姓名或名稱，如以上所提述的個人利益包括議員向客戶提供的個人服務，而該等個人服務是由於其立法會議員身份所引致或以任何方式與該身份有關者；
 - (d) (i) 議員在其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，而該等捐贈目的為支付該議員在該選舉中的選舉開支；或 (1999 年第 107 號法律公告)
 - (ii) 作為立法會議員時，來自任何人士或組織的財政贊助，而提供詳情時須說明該項贊助是否包括以直接或間接方式付予該議員或其配偶的款項，或給予該議員或其配偶的實惠或實利；
(1999 年第 107 號法律公告)

- (5) In this Rule, "registrable interests" means –
- (a) remunerated directorships of companies, public or private, and if the company concerned is a subsidiary of another company within the meaning of section 2(4) of the Companies Ordinance (Cap. 32), also the name of that other company; *(L.N. 73 of 2006)*
 - (b) remunerated employments, offices, trades, professions or vocations;
 - (c) the names of clients when the interests referred to above include personal services by Members which arise out of or are related in any manner to his membership of the Council;
 - (d) (i) all donations, as a candidate in the Legislative Council election in which the Member was elected as a Member of the Council, received by the Member or any person on his behalf for the purpose of meeting the Member's election expenses in the election; or *(L.N. 107 of 1999)*
 - (ii) financial sponsorships, as a Member of the Council, by any person or organization, stating whether any such sponsorships include any payment or any material benefit or advantage to the Member or his spouse, whether direct or indirect; *(L.N. 107 of 1999)*

- (e) 議員或其配偶由於與其立法會議員身份有關或由該身份引致的海外訪問，而該次訪問的費用並非全數由該議員或公費支付；
- (f) 議員或其配偶因其議員身份從：
 - (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款項、實惠或實利；
- (g) 土地及物業；
- (h) 公司或其他團體的名稱，如據議員所知，其本人，或連同其配偶或未成年子女，或代表其配偶或未成年子女持有該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百分之一者。

- (e) overseas visits made by the Member or his spouse relating to or arising out of membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds;
- (f) any payments or any material benefits or advantages received by the Member or his spouse arising out of his membership of the Council from or on behalf of:
 - (i) any government or organization of a place outside Hong Kong; or
 - (ii) any person who is not a Hong Kong permanent resident;
- (g) land and property;
- (h) the names of companies or other bodies in which the Member has, to his knowledge, either himself or with or on behalf of his spouse or infant children, a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital.

董事職位
Directorships

霍震霆議員
Hon Timothy FOK Tsun-ting

自第四屆立法會開始至今，霍震霆議員曾登記
他擔任的受薪董事職位總覽表

Consolidated list of the remunerated directorships registered by Hon Timothy FOK Tsun-ting since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			2.10.2008	4.5.2011
1	Feoso Oil Ltd.	石油分銷商 Oil distributor	✓	✓
2	Henry Fok Estates, Ltd.	投資控股 Investment holding	✓	✓
3	Pacific Islands Shipbuilding Co., Ltd.	物業投資 Property investment	✓	✓
4	Yau Wing Co., Ltd.	物業發展及基建工程 Property development and infrastructural projects	✓	✓
5	Yuen Fung Investment Co., Ltd.	物業投資 Property investment	✓	✓
6	SJM Holdings Ltd. (澳門博彩控股有限公司)	旅遊娛樂 Travel and entertainment	×	✓
總數 Total			5	6

✓ 表示該日就受薪董事職位所登記的公共或私營公司中，已包括該公司
denotes that the company was included in the public or private companies registered on that date for holding remunerated directorships.

× 表示該日就受薪董事職位所登記的公司中，沒有包括該公司。
denotes that the company was not included in the companies registered on that date for holding remunerated directorships.

股份
Shareholdings

霍震霆議員
Hon Timothy FOK Tsun-ting

自第四屆立法會開始至今，霍震霆議員曾登記
他持有股份的公司總覽表

Consolidated list of the companies in which Hon Timothy FOK Tsun-ting has/had shareholdings and registered since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration		
			2.10.2008	4.5.2011	12.7.2011
	Incorporated in Hong Kong :				
1	Armazem Velho Ltd.		✓	✓	✓
2	China Capital Ventures Ltd.		✓	✓	✓
3	Dill's Corner Development Co. Ltd.		✓	✓	✓
4	Eden Investment Co., Ltd		✓	✓	✓
5	Fok & Sons Co., Ltd.		✓	✓	✓
6	Fok Ying Tung Advance Technology Development Foundation Ltd.	Not provided	✓	✓	✓
7	Fok's Brothers Co., Ltd.		✓	✓	✓
8	Fully Development Ltd.		✓	✓	✓
9	Fung Kin Enterprise Co., Ltd.		✓	✓	✓
10	Henry Fok Estates, Ltd.		✓	✓	✓
11	Heritage Hotels & Resorts Ltd.		✓	✓	✓
12	Hom Fu Lee Co., Ltd.		✓	✓	✓
13	Hong Kong Mortgage & Loan Corporation Ltd.		✓	✓	✓
14	Hsudia Jewelry Ltd.		✓	x	x
15	Kin Bon Investment Co., Ltd.		✓	✓	✓
16	Luen Lee Enterprises Ltd.		✓	✓	✓
17	Luen Tak Shing Co., Ltd.		✓	✓	✓

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration		
			2.10.2008	4.5.2011	12.7.2011
			18	Pastone Ltd.	
19	Prosper Investment Ltd.		✓	✓	✓
20	Sassoon Co. Ltd.		✓	✓	✓
21	Shu Shun Co., Ltd.		✓	✓	✓
22	Sun Luen Hop Land Investment Co., Ltd.		✓	✓	✓
23	Supramar Pacific Investment Co., Ltd		✓	✓	✓
24	Tai On Yiu Co., Ltd.	Not provided	✓	✓	✓
25	Tai Hung Shun Co., Ltd.		✓	✓	✓
26	Talent Asia Development Ltd.		✓	✓	✓
27	Victoria Amusement Co., Ltd.		✓	✓	✓
28	Waterborne Co., Ltd.		✓	✓	✓
29	Wing Fung Shun Co., Ltd.		✓	✓	✓
30	Yau Wing Co., Ltd.		✓	✓	✓
31	Yuet Cheong Co., Ltd.		✓	✓	✓
	Incorporated overseas:				
32	Adams Investment Ltd.			✓	✓
33	Riverfront Holdings Ltd.		✓	×	✓
34	Wiseway Investments Ltd.		✓	✓	✓
35	Yau Wing (China) Investments Ltd.		✓	✓	✓
36	Yau Wing Corporation S.A.		✓	✓	✓
		總數 Total	35	34	34

表示該日登記的公司的名單包含該公司
denotes that the company was included in the list of companies registered on that date

表示該日登記的公司的名單不包含該公司
denotes that the company was not included in the list of companies registered on that date

密 件

CONFIDENTIAL
董事職位

Directorships

霍震霆議員

Hon Timothy FOK Tsun-ting

附錄 IX(c)(i)
Appendix IX(c)(i)

有關霍震霆議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後向立法會秘書登記的受薪董事職位所須提供的資料

Information to be provided in relation to remunerated directorship(s) registered by Hon Timothy FOK with the Clerk to Legislative Council since 27 April 2011 (i.e. the date on which news reports referred to in the complaints were published)

* 須提供的資料

Information to be provided

公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of Registration	*受聘為受薪董事的日期 Date of Appointment as Remunerated Director	(If applicable 如適用者) *沒有在受聘為受薪董事後14天內登記的原因 Reason(s) for failing to register within 14 days of becoming a remunerated director
SJM Holdings Ltd. 澳門博彩控股有限公司	旅遊娛樂 Travel and entertainment	4.5.2011	30.8.2010	omission

簽署 Signature :


霍震霆議員
Hon Timothy FOK

日期 Date : 9 June, 2011

股份
Shareholdings

霍震霆議員
Hon Timothy FOK Tsun-ting

有關霍震霆議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後
向立法會秘書登記的股份所須提供的資料

Information to be provided in relation to shareholdings

registered by Hon Timothy FOK with the Clerk to Legislative Council since 27 April 2011

(i.e. the date on which news reports referred to in the complaints were published)

* 須予提供的資料

Information to be provided

於4.5.2011 登記的公司名稱 Name of company registered on 4.5.2011	*業務性質 Nature of business	*於4.5.2011登記時 沒有說明業務性質 的原因 Reason(s) for not providing the nature of business when registration was made on 4.5.2011	*開始持有面值 超過1%已發行股本 的股份的日期 Date of acquisition of shares of value greater than 1% of issued share capital	(如適用者If applicable) *沒有在開始持有股份後 14天內登記的原因 Reason(s) for failing to register within 14 days of acquisition
Pastone Ltd.	Investment	Inactive since establishment in Dec 1987	不超過1% pending	omission

於4.5.2011 撤銷登記的 公司名稱 Name of company de-registered on 4.5.2011	*業務性質 Nature of business	*於2.10.2008登記 時沒有說明業務性 質的原因 Reason(s) for not providing the nature of business when registration was made on 2.10.2008	*終止持有面值 超過1%已發行股本 的股份的日期 Date of ceasing to hold shares of value greater than 1% of issued share capital	(如適用者If applicable) *沒有在終止持有股份後 14天內登記的原因 Reason(s) for failing to register within 14 days of ceasing to hold the shares
Hsudia Jewelry Ltd. 許迪珠寶有限公司	Jewelry retail	The Company ceased business in Oct. 2008	17.7.2009	omission
Riverfront Holdings Ltd.	Investment	仍然持有 omission	omission	omission



For Information:

簽署 Signature :

ASG(3)

CCS(3)3
SCS(3)

- A40 -

霍震霆議員

Hon Timothy FOK

日期 Date :

9 June, 2011

針對霍震霆議員、梁劉柔芬議員、梁君彥議員、
詹培忠議員、黃宜弘議員及葉國謙議員的投訴

Complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG,
Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

霍震霆議員

Hon Timothy FOK

董事職位

Directorships

公司名稱 (業務性質) Name of company (nature of business)	委任日期 Date of appointment	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
澳門博彩 控股有限公司 (旅遊及娛樂) SJM Holdings Ltd. (Travel and entertainment)	30.8.2010	4.5.2011	7 個半月 7.5 months	出於遺漏 omission	---

股份 (登記)

Shareholdings (Registration)

公司名稱 業務性質 Name of company (nature of business)	開始持有面值 超過 1% 已發行 股本的股份 的日期 Date of acquisition of shares of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
Pastone Ltd. (投資) (Investment)	他並無持有 Pastone Ltd. 1% 以上的已發行股 本。 He does not own more than 1% of the issued share capital of Pastone Ltd.	4.5.2011 他不須要向立法 會秘書作出登 記。 He is not required to register with the Clerk to LegCo.	不適用 not applicable	出於遺漏 omission	他已於 2011 年 7 月 12 日向立法 會秘書取消登記此公司的股份。 He de-registered his shareholding in this company with the Clerk to LegCo on 12.7.2011.

公司名稱 業務性質 Name of company (nature of business)	終止持有面值 超過 1% 已發行 股本的股份 的日期 Date of ceasing to hold shares of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書取消 登記的日期 Date of de-registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期取消登記 的時間 Delay in de-registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
許迪珠寶 有限公司 (珠寶零售) Hsudia Jewelry Ltd. (Jewelry retail)	17.7.2009	4.5.2011	1 年 9 個月 1 year and 9 months	出於遺漏 omission	---
Riverfront Holdings Ltd. (投資) (Investment)	他仍持有此公司 1% 以 上的已發行股本。 He still owns more than 1% of the issued share capital of the company.	4.5.2011 他於 2008 年 10 月 2 日向立法會秘書登 記此公司的股份。 他不應向立法會秘 書取消登記此公 司，他在 2 個月及 1 週期間 (由 4.5.2011 至 11.7.2011) 沒有 登記此個人利益。 He registered his shareholding in the company with the Clerk to LegCo on 2.10.2008. He ought not de-register this company with the Clerk to LegCo. He did not register this interest for 2 months and 1 week (i.e. from 4.5.2011 to 11.7.2011).	不適用 not applicable	出於遺漏 omission	他已於 2011 年 7 月 12 日 重新登記持有此公司的 股份。 He re-registered his shareholding interest in this company with the Clerk to LegCo on 12.7.2011.

董事職位
Directorships

梁劉柔芬議員
Hon Mrs Sohpie LEUNG LAU Yau-fun

自第四屆立法會開始至今，梁劉柔芬議員曾登記
她擔任的受薪董事職位總覽表

Consolidated list of the remunerated directorships registered by Hon Mrs Sophie LEUNG LAU Yau-fun since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			6.10.2008	8.10.2010
1	Bay Apparel Ltd	一般進出口貿易 General Trading import / export	✓	✓
2	Union Textile Mill Ltd	牛仔布生產及貿易 Denim Fabric Manufacturer & Trading	✓	✗
		總數 Total	2	1

✓ 表示該日就受薪董事職位所登記的公共或私營公司中，已包括該公司
denotes that the company was included in the public or private companies registered on that date for holding remunerated directorships.

✗ 表示該日就受薪董事職位所登記的公司中，沒有包括該公司。
denotes that the company was not included in the companies registered on that date for holding remunerated directorships.

股份
Shareholdings
梁劉柔芬議員
Hon Mrs Sohpie LEUNG LAU Yau-fun

自第四屆立法會開始至今，梁劉柔芬議員曾登記
她持有股份的公司總覽表

Consolidated list of the companies in which Hon Mrs Sophie LEUNG LAU Yau-fun has/had shareholdings and registered since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of Registration				
			6.10.2008	8.10.2010	21.1.2011	27.4.2011	19.5.2011
1	Agro Development Limited	投資 Investment	x	x	x	✓	x
2	Anex Investments Ltd.	物業投資 Property Investment	✓	✓	✓	✓	✓
3	Bright Loyal (Hong Kong) Ltd	控股投資 Investment Holdings	✓	✓	✓	✓	✓
4	China Ruby Ltd.	物業投資 Property Investment	✓	x	x	x	x
5	Community Leadership Forum Limited	慈善機構 Charitable organization	x	✓	✓	✓	✓
6	Club Unity Limited	投資 Investment	x	x	x	✓*	x
7	Colonial Development Limited	投資 Investment	x	x	x	✓*	✓*
8	Fong Shing Cotton Mill (HK) Ltd.	棉織廠 Cotton Mill	✓	✓	✓	✓	✓
9	Fong Shing (HK) Investment Co Ltd	公司 Corporation	x	x	✓	✓	✓
10	Golden Emblem Investment Co. Ltd.	進出口貿易 Import & Export Trading	✓	✓	✓	✓	✓
11	Jade Luck Holdings Ltd	物業投資 Property Investment	✓	✓	✓	✓	✓
12	Jadehome Property Limited	物業投資 Property Investment	x	✓	✓	✓	✓
13	Kinston Enterprises Limited	物業控股 Property Holdings	x	✓	✓	✓	✓
14	Lau Tak Cheung Tong Ltd	物業控股 Property Holdings	x	x	✓	✓	✓
15	Leisurehome Ltd.	物業投資 Property Investment	✓	✓	✓	✓	✓
16	Newboard Co. Ltd.	投資 Investment	✓	✓	✓	✓	✓
17	Northland Limited	物業投資 Property Investment	✓	✓	✓	✓	✓
18	PacAsia Holding Limited	控股投資 Investment Holdings	x	x	x	✓	x
19	Primewood Co. Ltd.	物業投資 Property Investment	✓	✓	✓	✓	✓

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration				
			6.10.2008	8.10.2010	21.1.2011	27.4.2011	19.5.2011
20	Shunde Pacific Limited	投資 Investment	✓	✗	✗	✓*	✓*
21	Simcoe Investment Ltd.	物業投資 Property Investment	✓	✓	✓	✓	✓
22	Sophie Leung Healthy Living Ltd	出版書籍 Publication of books	✗	✓	✓	✓	✓
23	Sunny Champ International Limited	公司 Corporation	✗	✗	✗	✓	✗
24	Super News Ltd	公司 Corporation	✓	✓	✓	✓	✓
25	Supplies (Asia Pacific) Company Limited	投資 Investment	✗	✗	✗	✓*	✓*
26	Tai Fong Dyeing & Weaving Fty. Ltd.	棉紗生產 Cotton Yarn Manufacturing	✓	✓	✓	✓	✓
27	Wealth Gain Investments Ltd.	控股投資 Investment Holdings	✓	✓	✓	✓	✓
28	Web Resource Limited	投資 Investment	✗	✗	✗	✓*	✓*
29	The Young Entrepreneurs Development Council Ltd	推動企業家發展 Promote entrepreneurial development 慈善機構 Charitable organization	✓	✓	✓	✓	✓
30	E Technologies Ltd. (申報女兒梁穎宇的金錢利益) (The pecuniary interest of her daughter, Nisa Leung)	技術轉移/環境 Technology Transfer / Environment	✓	✗	✗	✗	✗
總數 Total			17	18	20	28	24

* In the process of deregistration

✓ 表示該日登記的公司的名單包含該公司
denotes that the company was included in the list of companies registered on that date

✗ 表示該日登記的公司的名單不包含該公司
denotes that the company was not included in the list of companies registered on that date

密 件
CONFIDENTIAL

梁劉柔芬 香港金紫荊星章
太平紳士

第十一屆全國人民代表大會代表
香港特別行政區立法會議員

Sophie Leung, GBS, JP

個人利益監察委員會秘書
蘇美利小姐：

知悉議員個人利益監察委員會(下稱“委員會”)正跟進本人申報利益一事。

本人明白社會對公職人員個人利益的關注，一直謹慎行事，多年前已向家族要求，簡化本人在家族層面的名義，將無實質參與的業務或董事轉回親屬名下，以及撤銷註冊經已停止運作的公司。有關過程涉及非常複雜的手續，處理需時，事隔多年亦以為已全部完成。經傳媒報道，本人始知悉有公司未有申報，並即時於4月27日當日向秘書處補交有關的資料，並致函委員會各委員致歉。因本人的無心之失，而為議會帶來不便，本人深感抱歉。

現就委員會來信回應如下：

在信件第2頁至第3頁列出的8間公司(a)-(h)中，其中4間與本人家族投資有關，即：

- (a) Agro Development Limited
- (c) Colonial Development Limited
- (e) Shunde Pacific Limited
- (g) Supplis (Asia Pacific) Company Limited (家族持有的空殼公司)

而(d) PacAsia Holding Limited 及(f) Sunny Champ International Limited 兩間公司亦是家族持有，本人並無任何股份，只擔任無薪董事。在4月27日向秘書處登記資料時錯誤申報這兩間公司，令大家混淆，甚感不安。

另外，(b) Club Unity Limited 前身是本人成立的 Education Abroad Services (Hong Kong) Ltd，後因本人並非股東，後來公司停止運作，其他股東將股份轉至本人名下，及至2010年，有見公司沒有運作多年，於是向公司註冊處申請撤銷註冊，並於5月6日接獲通知公司經已解散。

至於(h) Web Resources Limited，是本人多年前為鼓勵年青人創業而成立，當時以(h)名義入股一間年青人成立的公司，後來該公司虧蝕並撤銷註冊，因此(h)已沒有業務，故本人在2011年已進行撤銷註冊的手續。

故此，八間公司現在的情況如下：(即本人於5月19日登記的情況)

- (a) 本人已在5月3日終止持有股份，現為無薪董事。
- (b) 已於5月6日收到公司註冊處通知，公司已解散。
- (d), (f) 本人並無持有任何股份，只是無薪董事。
- (c), (e), (g), (h) 都已啓動公司撤銷註冊程序。

由於本人一直未有留意名下公司的具體情況，致造成遺漏登記，實屬無心之失，這些公司亦沒有涉及任何公眾利益，希望委員會明察。

在調查過程中，委員會若需要進一步的資料，本人將盡力提供協助。



梁劉柔芬

2011年6月2日

股份 Shareholdings

梁劉柔芬議員

Hon Mrs Sophie LEUNG LAU Yau-fun

有關梁劉柔芬議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後向立法會秘書登記的股份所須提供的資料

Information to be provided in relation to shareholdings registered by
Hon Mrs Sophie LEUNG LAU Yau-fun with the Clerk to Legislative Council since 27 April
2011 (i.e. the date on which news reports referred to in the complaints were published)

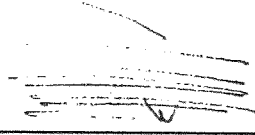
* 須予提供的資料

Information to be provided

於27.4.2011 登記的公司名稱 Name of Company registered on 27.4.2011	業務性質 Nature of business	身份 Capacity	* 開始持有面值 超過1%已發行股本 的股份的日期 Date of acquisition of shares of value greater than 1% of issued share capital	(如適用者 If applicable) *沒有在開始持有股份後14天 內登記的原因 Reason(s) for failing to register within 14 days of acquisition
a Agro Development Limited	投資 Investment	Non-remunerated Director, Shareholder (ceased 3-5-2011)	27-7-1998	家族業務 投資國內推動發展農業水產項目, 3-5 -2011 終止持有股份
b Club Unity Limited (Formerly known as "Education Abroad Services (Hong Kong) Ltd")	顧問 Consultant	Non-remunerated Director & Shareholder since 2000	(Education Abroad Services (Hong Kong) Ltd. incorporated in 1985) 24-11-2000	公司前身名稱為"Education Abroad Services (Hong Kong) Ltd. 由幾位義工提供義務海外 升學資訊及免費講座, 後擱置, 2000年股東 (義工)將股份轉讓, 2008年12月改名為Club Unity Ltd. 一直沒有任何運作或營運, 直至 17-12-2010 決定向公司註冊處申請撤銷註 冊, 6-5-2011, 收到公司註冊處通知, 公司已 告解散。
c Colonial Development Limited	投資 Investment	Shareholder	2-11-2007	家族業務 物業投資, 評稅及交妥稅後, 19-1-2011 向公 司註冊處申請撤銷註冊。
d PacAsia Holding Limited	控股投資 Investment Holdings	Non-remunerated Director	Not applicable	家族業務, 申報錯誤, 沒有持股份, 沒有營 運。
e Shunde Pacific Limited	投資 Investment	Shareholder & Non- remunerated Director	28-6-1996	家族業務, 沒有營運, 21-2-2011 向公司註冊 處申請撤銷註冊。
f Sunny Champ International Limited	公司 Corporation	Non-remunerated Director	Not applicable	家族業務, 申報錯誤, 沒有持股份。
g Supplies (Asia Pacific) Company Limited	投資 Investment	Shareholder & Non- remunerated Director	20-4-1999	家族業務, 沒有營運, 4-5-2011 向公司註 冊處申請撤銷註冊。
h Web Resource Limited	投資 Investment	Shareholder & Non- remunerated Director	19-1-2004	多年前為鼓勵年輕人創業, 入股 Charity Merchandizing Promotion Co Ltd (預防皮膚 癌產品公司) 後來蝕本, 公司安排註銷, 去年知悉該公司已在公司註冊處撤銷註冊, Web Resources 亦隨之在21-2-2011向公司註 冊處申請撤銷註冊。

於19.5.2011 撤銷登記的 公司名稱 Name of Company de- registered on 19.5.2011	業務性質 Nature of business	* 終止持有面值 超過1% 已發行股本 的股份的日期 Date of ceasing to hold shares of value greater than 1% of issued share capital	(如適用者 If applicable) *沒有在終止持有股份後14天 內登記的原因 (if Applicable) Reason(s) for failing to register within 14 days of ceasing to hold the shares
a Agro Development Limited	投資 Investment	3-5-2011終止持有股份	
b Club Unity Limited	顧問 Consultant	6-5-2011, 收到公司註冊處通知,公司 已告解散	
d PacAsia Holding Limited	控股投資 Investment Holdings	申報錯誤, 沒有持股份	
f Sunny Champ International Limited	公司 Corporation	申報錯誤, 沒有持股份	

簽署 Signature :


梁劉柔芬議員
Hon Mrs. Sophie LEUNG
LAU Yau-fun

日期 Date: 2011年6月2日

For Information:

ASG(3)

CCS(3)3

SCS(3)2



Mary ML SO/LEGCO
2011/06/20 下午 03:02

To Randy YL YAN/LEGCO@LEGCO
cc
bcc
Subject Fw: Business Activities

History: This message has been forwarded.

— Forwarded by Mary ML SO/LEGCO on 2011/06/20 PM 03:02 —



"Sophie Leung"

2011/06/20 AM 11:13

To <mso@legco.gov.hk>
cc
Subject Fwd: Fw: Business Activities

Dear Mary,

On 17 Jun, 2011 we received call and e-mail from Randy Yan of your office and requested information, so we reply as follows.

best regards,

Sophie Leung

2011/6/20 am 11:05 >>>

----- Original Message -----

From: Randy YL YAN

Sent: Friday, June 17, 2011 2:21 PM
Subject: Business Activities

Dear Billy,

We spoke this morning. I recap our conversation as follows. Many thanks for your help:

Club Unity Limited - It is not clear whether the company engaged in business operations or activities between November 2000 and December 2008.

Reply : No

Colonial Development Limited - It is not clear whether this company engaged in any business activities between November 2007 and January 2011.

Reply : Yes. Held Property. (曾有物業投資)

Shunde Pacific Limited - It is not clear whether this company engaged in any business activities between June 1996 and February 2011.

Reply : Yes. Held Property. (曾有物業投資)

Supplies (Asia Pacific) Company Limited: It is not clear whether this


company engaged in any business activities between April 1999 and May 2011.

Reply : Yes. Held Property. (曾有物業投資)

Web Resources Limited - It is not clear whether this company engaged in any business activities between January 2004 and February 2011 apart from being an investor in Charity Merchandizing Promotion Co Ltd.

Reply : No. Only share holding.

Kind regards,

Randy Yan




2011/06/22 下午 05:10

To "Randy YL YAN" <rylyan@legco.gov.hk>

cc

bcc

Subject Re: Business Activities

History:

➡ This message has been forwarded.

Dear Randy,

Reply for the following: No, Only share holding.

thanks!

b. rgds,
billy

— Original Message —

From: Randy YL YAN

Sent: Wednesday, June 22, 2011 4:18 PM

Subject: Fw: Business Activities

Dear Billy,

We spoke just now. We note in Mrs Leung's reply dated 2 June 2011 mentions that Agro Development Limited had invested in Mainland's agricultural and fishery projects between June 1998 and May 2011. Just would like to reconfirm if it means that it had business activities during the aforesaid period. Many thanks.

Regards,

Randy

— Forwarded by Randy YL YAN/LEGCO on 2011/06/22 下午 04:13 —

Randy YL YAN/LEGCO

2011/06/20 上午 11:36

To

cc

Subject Fw: Business Activities

Morning Billy,

Do you have any updates on the following questions.

Regards,

Randy

— Forwarded by Randy YL YAN/LEGCO on 2011/06/20 上午 11:35 —

Randy YL YAN/LEGCO

To

針對霍震霆議員、梁劉柔芬議員、梁君彥議員、
詹培忠議員、黃宜弘議員及葉國謙議員的投訴

Complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG,
Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

梁劉柔芬議員

Hon Mrs Sophie LEUNG

股份

Shareholdings

公司名稱 (業務性質) Name of company (nature of business)	開始持有 面值超過 1% 已發行股本 的股份的日期 Date of acquisition of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
農裕發展 有限公司 (投資) Agro Development Limited (Investment)	27.7.1998	27.4.2011	2 年 7 個月 2 years and 7 months	她本人的 無心之失 oversight on her part	她於 2011 年 5 月 3 日停止持有此公 司的股份，及於 2011 年 5 月 19 日 向立法會秘書取消登記持有此公 司的股份。該公司在 1998 年 6 月至 2011 年 5 月期間沒有任何業務運作 或活動。 She ceased to hold any shares in this company on 3 May 2011, and de-registered her shareholding interest in the company with the Clerk to LegCo on 19.5.2011. The company had no business operations or activities between June 1998 and May 2011.
共和會 有限公司 (投資) Club Unity Limited (Investment)	24.11.2000	27.4.2011	2 年 7 個月 2 years and 7 months	她本人的 無心之失 oversight on her part	她於 2011 年 5 月 6 日收到公司註冊 處的信件，知會撤銷註冊此公司的 申請已獲批准。她於 2011 年 5 月 19 日向立法會秘書取消登記持有 此公司的股份。該公司沒有任何業 務運作或活動。 She received a letter from the Companies Registry on 6.5.2011 notifying her that the application for de-registering the company had been approved. She de-registered her shareholding interest in the company with the Clerk to LegCo on 19.5.2011. The company had no business operations or activities.

公司名稱 (業務性質) Name of company (nature of business)	開始持有 面值超過 1% 已發行股本 的股份的日期 Date of acquisition of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
港鏗發展 有限公司 (投資) Colonial Development Limited (Investment)	2.11.2007	27.4.2011	2 年 7 個月 2 years and 7 months	她本人的 無心之失 oversight on her part	已於 2011 年 1 月 19 日向公司註冊處申請把該公司撤銷註冊。該公司曾有物業投資。 Application had been made with the Companies Registry on 19.1.2011 to de-register the company. The company had held property.
泛亞控股 有限公司 (控股投資) PacAsia Holdings Limited (Investment holdings)	她並無持有任 何股份。 She does not own any shares in the company.	27.4.2011 她不須要向立法 會秘書登記。 She is not required to register this company with the Clerk to LegCo.	不適用 not applicable	她本人的 無心之失 oversight on her part	她於 2011 年 5 月 19 日向立法會秘書取消登記她在此公司的股份。 She de-registered her shareholding in the company with the Clerk to LegCo on 19.5.2011.
新利昌國際 有限公司 (公司 - 持有 車牌) Sunny Champ International Limited (Corporation - for holding vehicle registration mark)	她並無持有任 何股份。 She does not own any shares in the company.	27.4.2011 她不須要向立法 會秘書登記。 She is not required to register this company with the Clerk to LegCo.	不適用 not applicable	她本人的 無心之失 oversight on her part	她於 2011 年 5 月 19 日向立法會秘書取消登記她在此公司的股份。 She de-registered her shareholding in the company with the Clerk to LegCo on 19.5.2011.

公司名稱 (業務性質) Name of company (nature of business)	開始持有 面值超過 1% 已發行股本 的股份的日期 Date of acquisition of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
順泰國際貿易 有限公司 (投資) Shunde Pacific Limited (Investment)	28.6.1996	6.10.2008 她於 2010 年 10 月 8 日取消登記 此公司的個人利 益及隨後於 2011 年 4 月 27 日重新登記此利 益。 She de-registered her interest in this company on 8.10.2010 and re-registered this interest again on 27.4.2011.	6 個半月 6.5 months	她本人的 無心之失 oversight on her part	已於 2011 年 2 月 21 日向公司註冊 處申請把該公司撤銷註冊。該公 司曾有物業投資。 Application had been made with the Companies Registry on 21.2.2011 to de-register the company. The company had held property.
Supplies (Asia Pacific) Company Limited (投資) (Investment)	20.4.1999	27.4.2011	2 年 7 個月 2 years and 7 months	她本人的 無心之失 oversight on her part	已於 2011 年 5 月 4 日向公司註冊處 申請把該公司撤銷註冊。該公司曾 有物業投資。 Application had been made with the Companies Registry on 4.5.2011 to de-register the company. The company had held property.
Web Resource Limited (投資) (Investment)	19.1.2004	27.4.2011	2 年 7 個月 2 years and 7 months	她本人的 無心之失 oversight on her part	該公司除了作為慈善產品推廣有 限公司 (Charity Merchandizing Promotion Co. Ltd.) 的投資者以 外,並無任何業務活動。已於 2011 年 2 月 21 日向公司註冊處申請把 該公司撤銷註冊。 The company had no business activities, apart from being an investor in Charity Merchandizing Promotion Co. Ltd. Application had been made with the Companies Registry on 21.2.2011 to de-register the company.

董事職位
Directorships

梁君彥議員
Hon Andrew LEUNG Kwan-yuen

自第四屆立法會開始至今，梁君彥議員曾登記
他擔任的受薪董事職位總覽表

Consolidated list of the remunerated directorships registered by Hon Andrew LEUNG Kwan-yuen since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			4.10.2008	27.4.2011
1	Beaufort International Enterprises Limited	投資 Investment	✓	✓
2	Cherish Partners Limited	貿易 Trading	✓	×
3	China Capital International Limited	控股 Holding	✓	✓
4	China South City Holdings Limited (華南城控股有限公司)	Intergrated Logistic & Trade Centers	×	✓
5	CN Innovations Holdings Limited	Trading	×	✓
6	Co-Wear International Limited	一般貿易及投資 General Trading & Investment	✓	✓
7	Co-Wear Limited	貿易及投資 Trading & Investment	✓	✓
8	Culligan Enterprises Corporation	投資 Investment	✓	✓
9	Dah Sing Bank, Limited	銀行 Banking	✓	✓
10	Dah Sing Banking Group Limited	銀行 Banking	✓	✓
11	GBS (HK) Limited	貿易 Trading	✓	✓
12	Golden Fortune Properties Limited	控股 Holding	✓	✓
13	Golden Harvest International Enterprises Limited	控股 Holding	✓	✓
14	Kinfield Limited	貿易物業控股 Trading Properties Holdings	✓	✓
15	Meadville Holdings Limited	投資控股 Investment Holding	✓	×
16	North Troy Investment Limited	投資 Investment	✓	✓
17	Shui Hong Trading Company Limited	貿易 Trading	✓	✓

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			4.10.2008	27.4.2011
18	Soleway Investment Limited	投資 Investment	✓	✓
19	Sun Hing (Europe) Limited	設計及成衣貿易 Design & Garment Trading	✓	✓
20	Sun Hing (UK) Limited	成衣貿易 Garment Trading	✓	✓
21	Sun Hing Knitting Factory Limited	製造 Manufacturing	✓	✓
22	Sunny Spot Limited	一般貿易及投資 General Trading & Investment	✓	✓
23	Sunshine Gold Holdings Limited	控股 Holding	✓	✓
24	Wharf T&T Limited	電訊傳訊 Telecom Communication	✓	✓
25	Winner Universal Limited	一般貿易及投資 General Trading & Investment	✓	✓
總數 Total			23	23

表示該日就受薪董事職位所登記的公共或私營公司中，已包括該公司
denotes that the company was included in the public or private companies registered on that date for holding remunerated directorships.

表示該日就受薪董事職位所登記的公司中，沒有包括該公司。
denotes that the company was not included in the companies registered on that date for holding remunerated directorships.

股份
Shareholdings

梁君彥議員
Hon Andrew LEUNG Kwan-yuen

自第四屆立法會開始至今，梁君彥議員曾登記
他持有股份的公司總覽表

Consolidated list of the companies in which Hon Andrew LEUNG Kwan-yuen has/had shareholdings and registered since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration
			4.10.2008
1	Golden Harvest Int'l Enterprises Ltd	控股 Holding	✓
2	Sunshine Gold Holdings Ltd	控股 Holding	✓
3	Golden Fortune Properties Ltd	控股 Holding	✓
4	Kinfield Ltd	貿易物業控股 Trading & Properties Holding	✓
5	Sunny Spot Ltd	一般貿易及投資 General Trading & Investment	✓
6	Co-Wear Ltd	貿易及投資 Trading & Investment	✓
7	Citymark Apparel Fty Inc	貿易 Trading	✓
8	Co-Wear Int'l Ltd	一般貿易及投資 General Trading & Investment	✓
		總數 Total	8

表示該日登記的公司的名單包含該公司
denotes that the company was included in the list of companies registered on that date

密 件

CONFIDENTIAL



中華人民共和國香港特別行政區

LEGISLATIVE COUNCIL
OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION
OF THE PEOPLE'S REPUBLIC OF CHINA

梁君彥 議員

Hon. Andrew Leung Kwan-yuen, GBS, SBS, JP
Member

To: The Committee on Members' Interests

7 June 2011

Dear Sirs or Madams,

Your letter dated 24 May 2011 with enclosures is referred.

Having had the opportunity to review the subject matter of complaint and having made necessary enquiry with my staff, I would wish to set out the following for the Committee's consideration.

In September 2009, upon being appointed as an independent non-executive director of China South City Holdings Limited, I have instructed my personal assistant to take the necessary steps to disclose this remunerated directorship to the Clerk to the Legislative Council and to all the listed companies of which I serve as director.

I have since been in the belief that the respective guidelines have been complied with.

So soon as I was made aware of the omission by a reporter of Ming Pao Daily News on 27 April 2011, I made inquiries with my personal assistant and learnt that she had in fact made disclosure of the said appointment to all the listed companies I serve as director but, by inadvertence, had neglected to furnish the same to the Legislative Council. I then instructed her to take immediate remedial actions and made the declaration to the Clerk to the Legislative Council on the same day.

Having said this, I do accept that there has been a non-compliance of the Rule 83(3) of the Rule of Procedure of the Legislative Council in this case and accept full responsibilities for the same.

I nevertheless hope that this letter would assist the Committee in arriving an informed decision on this matter. Further, as the Committee would no doubt appreciate that the particulars of my remunerated directorship of China South City Holdings Limited, a listed company, have throughout been in the public domain, I shall be much obliged if the Committee would accept my explanation that this is a case of a genuine oversight on my part and that there has been no intention to deliberately conceal the appointment from the public.

I look forward to your favourable reply.

Yours faithfully,

Andrew LEUNG Kwan-yuen

董事職位
Directorships

梁君彥議員

Hon Andrew LEUNG Kwan-yuen

有關梁君彥議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後向立法會秘書登記的受薪董事職位所須提供的資料

Information to be provided in relation to remunerated directorship(s) registered by Hon Andrew LEUNG Kwan-yuen with the Clerk to Legislative Council since 27 April 2011 (i.e. the date on which news reports referred to in the complaints were published)

* 須予提供的資料

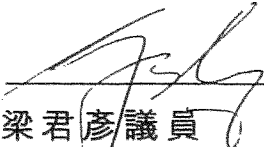
Information to be provided

公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of Registration	*受聘為受薪董事的日期 Date of Appointment as Remunerated Director	(If applicable 如適用者) *沒有在受聘為受薪董事後14天內登記的原因 Reason(s) for failing to register within 14 days of becoming a remunerated director
China South City Holdings Limited (華南城控股有限公司)	綜合物流及貿易中心 Integrated logistic & trade centers	27.4.2011	4 Sept. 2009	Oversight by my PA
CN Innovations Holdings Limited	貿易 Trading	27.4.2011	1 Apr 2011	Document was not ready till the mid of Apr 2011

公司名稱 Name of company	業務性質 Nature of business	取消登記日期 Date of De-registration	*終止為受薪董事的日期 Date of Ceasing to be Remunerated Director	(If applicable 如適用者) *沒有在終止為受薪董事後14天內登記的原因 Reason(s) for failing to register within 14 days of ceasing to be a remunerated director
Cherish Partners Limited	貿易 Trading (Dormant)	27.4.2011	Nil	Oversight by my PA No remunerated directorship in this company
Meadville Holdings Limited	投資控股 Investment Holding	27.4.2011	1 June 2010	Oversight by my PA Mr Leung was an independent non-executive director of Meadville Holdings Ltd, a company withdrawing its

公司名稱 Name of company	業務性質 Nature of business	取消登記 日期 Date of De-registration	*終止為受薪 董事的日期 Date of Ceasing to be Remunerated Director	(If applicable 如適用者) *沒有在終止為受薪董事後 14天內登記的原因 Reason(s) for failing to register within 14 days of ceasing to be a remunerated director
				listing of shares from the Stock Exchange of HK effective 19 Apr 2010 (Stock Code: 3313)

簽署 Signature :



梁君彥議員

Hon Andrew LEUNG Kwan-yuen

日期 Date : 7 June 2011

For Information:

ASG(3)

CCS(3)3

SCS(3)2

SCS(3) t



針對霍震霆議員、梁劉柔芬議員、梁君彥議員
詹培忠議員、黃宜弘議員及葉國謙議員的投訴

Complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG,
Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

梁君彥議員

Hon Andrew LEUNG

董事職位 (登記)

Directorships (Registration)

公司名稱 (業務性質) Name of company (nature of business)	委任日期 Date of appointment	在第四屆 立法會任期內 向立法會秘書登 記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
華南城控股有限 公司 (綜合物流及貿易 中心) China South City Holdings Limited (Integrated logistics and trade centers)	4.9.2009	27.4.2011	1 年 7 個月 1 year and 7 months	他助理的疏忽和 其本人真正的 疏忽 oversight by his personal assistant and a genuine oversight on his part	---
中南控股 有限公司 (貿易) CN Innovations Holdings Limited (Trading)	1.4.2011	27.4.2011	12 日 12 days	委任文件於 2011 年 4 月中才備妥 appointment document was not ready until mid-April 2011	---

公司名稱 (業務性質) Name of company (nature of business)	終止為受薪董事 的日期 Date of ceasing to be remunerated director	在第四屆 立法會任期內 向立法會 秘書取消登記 的日期 Date of de-registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期取消登記 的時間 Delay in de-registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備註 Remarks
Cherish Partners Limited (貿易) (Trading)	他並無出任此公 司的任何受薪董 事職位。 He did not hold any remunerated directorship in this company.	27.4.2011 他於 2008 年 10 月 4 日向立法 會秘書登記此受薪董事職位 的個人利益。他不須向立法 會秘書作出登記。 He registered his remunerated directorship in the company with the Clerk to LegCo on 4.10.2008. He is not required to register with the Clerk to LegCo.	不適用 not applicable	他助理的疏忽 oversight by his personal assistant	---
美維控 股有 限公 司 (投資 控 股) Meadville Holdings Limited (Investment holding)	1.6.2010	27.4.2011	10 個半月 10.5 months	他助理的疏忽 oversight by his personal assistant	---

股份
Shareholdings

詹培忠議員
Hon CHIM Pui-chung

自第四屆立法會開始至今，詹培忠議員曾登記
他持有股份的公司總覽表

Consolidated list of the companies in which Hon CHIM Pui-chung has/had shareholdings and registered since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration			
			8.10.2008	11.11.2009	29.1.2010	12.7.2011
1	Golden Mount Ltd.	證券投資 Securities investment	✓	×	×	×
2	Gallery Land Ltd.	證券投資及物業持有 Securities investment & property holding	✓	×	×	×
3	Asialite Properties Ltd.	物業持有 Property holding	✓	×	×	×
4	C.P.C. Properties Ltd.	控股投資 Investment holding	✓	×	×	×
5	C.P.C. Holdings Ltd.	公司業務服務 Inter-co. services	✓	×	×	×
6	C.P.C. Investments Ltd.	公司業務服務 Inter-co. services	✓	×	×	×
7	C.P.C. Nominees Ltd.	證券投資 Securities investment	✓	×	×	×
8	Fu Tai Vacationing Village Development Co. Ltd.	物業持有 Property holding	✓	×	×	×
9	Maxview Enterprises Ltd.	物業持有 Property holding	✓	×	×	×
10	Matway Development Ltd.	物業持有 Property holding	✓	×	×	×
11	Kind World Development Ltd.	秘書服務 Secretarial service	✓	×	×	×
12	Win Channel Investments Ltd.	證券投資 Securities investment	✓	×	×	×
13	黃金集團有限公司 Golden Resorts Group Ltd.	上市公司 Listed company	✓	×	×	×
14	聯太工業有限公司 United Pacific Industries Limited	香港上市公司 A listed company in Hong Kong	×	✓	×	×
15	壹本發展有限公司 One Principle Development Limited	BVI公司 BVI company	×	×	✓	✓
16	佳寧娜潮州酒樓(尖沙咀)有限公司 Carrianna Chiu Chow Restaurant (T.S.T.) Limited	酒樓 Restaurant	×	×	×	✓
		總數 Total	13	1	1	2

✓ 表示該日登記的公司的名單包含該公司
denotes that the company was included in the list of companies registered on that date

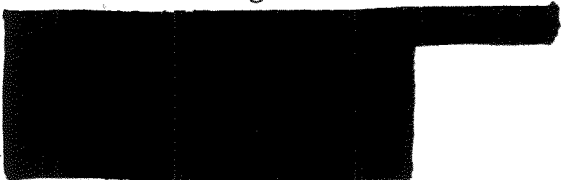
× 表示該日登記的公司的名單不包含該公司
denotes that the company was not included in the list of companies registered on that date

Office of The Hon. Chim Pui Chung

Member of the Legislative Council

立法會

詹培忠議員辦事處



密件
CONFIDENTIAL



香港中環皇后大道8號
立法會大樓
立法會

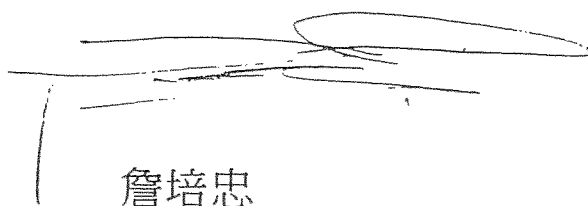
敬啟者：

2011年5月24日來信收悉。

有關本人持有私人公司金必多3%股份，並透過金必多間接持有佳寧娜（潮州）酒樓及佳寧娜（潮州）酒樓（尖沙咀）。本人持有的金必多股份已出售於他人，以及佳寧娜（潮州）酒樓（尖沙咀）已停止營運。本人在金必多公司並沒有收取任何酬金。

此致

立法會
Mary So女士


詹培忠

2011年5月30日



回條

機密文件

(請於 2011 年 6 月 8 日(星期三)下午 5 時或之前交回)

檔號: CB(3)/C/CON/10 (08-12)

致: 香港中區
貝臣道 8 號
立法會大樓
立法會秘書處
議員個人利益監察委員會秘書 蘇美利

(圖文傳真號碼: 2537 1204, 2810 1691)

議員個人利益監察委員會
邀請詹培忠議員提交的資料

請在適當的方格內加上✓, 並在適當的位置填上所需的資料。

1. 金必多發展

(a) 公司股份

本人, 或連同配偶或未成年子女, 或代表配偶或未成年子女並無持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益。

本人, 或連同配偶或未成年子女, 或代表配偶或未成年子女持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益, 並於 1982 年 4 月 1 日開始持有這些股份。該公司的業務性質是 控股公司 (持有佳寧(潮州)酒樓)。

(i) (如適用的話)本人未有在限期*前向立法會秘書登記這些股份的原因是 自 1982 年 4 月 1 日已有與立法會議員身份無關

(ii) (如適用的話)本人已於 2004 年 2 月 3 日停止持有這些股份。

(b) 受薪董事職位

本人不是該公司的受薪董事。

本人是該公司的受薪董事, 並於 ____ 年 ____ 月 ____ 日開始擔任此職位。該公司的業務性質是 _____。
(如適用的話)本人未有在限期前*向立法會秘書登記此受薪董事職位的原因是 _____。

* (議事規則) 第 83 條界定了"須予登記的個人利益", 並規定議員須不遲於每個任期舉行首次會議當天, 或在其填補立法會議員空缺的日期起計 14 天內(視乎何者適用), 向立法會秘書提供其須予登記的個人利益詳情。此外, 須予登記的個人利益如有變更, 議員亦須在變更後 14 天內, 向立法會秘書提供變更詳情。

2. 佳寧娜(潮州)酒樓

(a) 公司股份

本人，或連同配偶或未成年子女，或代表配偶或未成年子女並無持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益。

本人，或連同配偶或未成年子女，或代表配偶或未成年子女持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益，並於 1982 年 11 月 1 日開始持有這些股份。該公司的業務性質是 經營酒樓。

(i) (如適用的話)本人未有在限期*前向立法會秘書登記這些股份的原因是 自 1982 年 4 月 1 日已持有立法會議員身份無關

(ii) (如適用的話)本人已於 2004 年 2 月 3 日 停止持有這些股份。

(b) 受薪董事職位

本人不是該公司的受薪董事。

本人是該公司的受薪董事，並於 ____ 年 ____ 月 ____ 日開始擔任此職位。該公司的業務性質是 _____。
(如適用的話)本人未有在限期前*向立法會秘書登記此受薪董事職位的原因是 _____。

3. 佳寧娜(潮州)酒樓(尖沙嘴)

已停業多年

(a) 公司股份

本人，或連同配偶或未成年子女，或代表配偶或未成年子女並無持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益。

本人，或連同配偶或未成年子女，或代表配偶或未成年子女持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益，並於 ____ 年 ____ 月 ____ 日開始持有這些股份。該公司的業務性質是 _____。

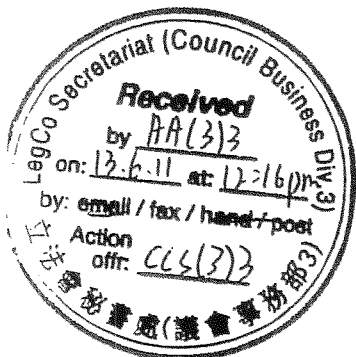
(i) (如適用的話)本人未有在限期*前向立法會秘書登記這些股份的原因是 _____。

(ii) (如適用的話)本人已於 ____ 年 ____ 月 ____ 日停止持有這些股份。

(b) 受薪董事職位

本人不是該公司的受薪董事。

本人是該公司的受薪董事，並於 ____ 年 ____ 月 ____ 日開始擔任此職位。該公司的業務性質是 _____。
(如適用的話)本人未有在限期前*向立法會秘書登記此受薪董事職位的原因是 _____。



For Information:

ASG(3)

CCS(3)3

SCS(3)2

簽署

詹培忠

日期: 10 JUN 2011

機密文件

回 條

(請於 2011 年 6 月 30 日(星期四)下午 5 時或之前交回)

檔號：CB(3)/C/CON/10 (08-12)

致：香港中區
 貝臣道 8 號
 立法會大樓
 立法會秘書處
 議員個人利益監察委員會秘書 蘇美利

(圖文傳真號碼：2537 1204, 2810 1691)

議員個人利益監察委員會
 邀請詹培忠議員提交的資料

請在適當的方格內加上✓，並在適當的位置填上所需的資料。

佳寧娜(潮州)酒樓(尖沙嘴)有限公司

(a) 公司股份

本人，或連同配偶或未成年子女，或代表配偶或未成年子女於_____年____月____日開始持有該公司面值超過該公司已發行股本的 1% 的股份的實益權益。該公司的業務性質是：_____。

(i) 本人未有在限期*前向立法會秘書登記這些股份的原因是：已停業多年，本人以為不用申報。

(ii) (如適用的話)本人已於_____年____月____日停止持有這些股份。

(b) 受薪董事職位

本人不是該公司的受薪董事。

本人是該公司的受薪董事，並於_____年____月____日開始擔任此職位。

(如適用的話)本人未有在限期前*向立法會秘書登記此受薪董事職位的原因是_____。

簽 署：

詹培忠

日 期：

8 JUL 2011

* 《議事規則》第 83 條界定了“須予登記的個人利益”，並規定議員須不遲於每個任期舉行首次會議當天，或在其填補立法會議員空缺的日期起計 14 天內(視乎何者適用)，向立法會秘書提供其須予登記的個人利益詳情。此外，須予登記的個人利益如有變更，議員亦須在變更後 14 天內，向立法會秘書提供變更詳情。

針對霍震霆議員、梁劉柔芬議員、梁君彥議員
詹培忠議員、黃宜弘議員及葉國謙議員的投訴

Complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG,
Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

詹培忠議員

Hon CHIM Pui-chung

董事職位

Directorships

公司名稱 Name of company	委任日期 Date of appointment	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	備注 Remarks
金必多發展 Ginza Development Ltd.	他不是這公司的受薪 董事 He is not a remunerated director of the company	不適用 not applicable	不適用 not applicable	---
佳寧娜(潮州)酒樓 Carrianna Chiu Chow Restaurant Ltd.	他不是這公司的受薪 董事 He is not a remunerated director of the company	不適用 not applicable	不適用 not applicable	---
佳寧娜(潮州)酒樓 (尖沙嘴)有限公司 Carrianna Chiu Chow Restaurant (T.S.T.) Limited	他不是這公司的受薪 董事 He is not a remunerated director of the company	不適用 not applicable	不適用 not applicable	---

股份

Shareholdings

公司名稱 Name of company	開始持有面值 超過 1%已發行 股本的股份 的日期 Date of acquisition of shares of value greater than 1% of the issued share capital	終止持有面值 超過 1% 已發行股本 的股份的日期 Date of ceasing to hold shares of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	備注 Remarks
金必多發展 Ginza Development Ltd.	1.4.1982	3.2.2004	不適用 not applicable	不適用 not applicable	---
佳寧娜(潮州) 酒樓 Carrianna Chiu Chow Restaurant Ltd.	1.4.1982	3.2.2004	不適用 not applicable	不適用 not applicable	---

<p>公司名稱 (業務性質) Name of company (nature of business)</p>	<p>開始持有面值 超過 1%已發行 股本的股份 的日期 Date of acquisition of shares of value greater than 1% of the issued share capital</p>	<p>在第四屆 立法會任期內 向立法會秘書 登記的日期 Date of registration with Clerk to LegCo in the Fourth LegCo</p>	<p>在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo</p>	<p>議員給予的 理由 Reason given by the Member</p>	<p>備注 Remarks</p>
<p>佳寧娜(潮州)酒樓 (尖沙嘴)有限公司 (酒樓) Carrianna Chiu Chow Restaurant (T.S.T.) Limited (Restaurant)</p>	<p>根據佳寧娜(潮州)酒樓(尖沙嘴)有限公司分別於 2008, 2009、2010 及 2011 年的 2 月 26 向公司註冊處提交的周年申報表，詹議員截至該等申報表日期持有該公司 2%的已發行股份。 According to the annual returns filed by Carrianna Chiu Chow Restaurant (T.S.T.) Limited with the Companies Registry dated 26 February of 2008, 2009, 2010 and 2011 respectively, Mr CHIM held 2% of the issued share capital of the company as at the dates of these returns.</p>	<p>12.7.2011</p>	<p>2 年 9 個月 2 years and 9 months</p>	<p>他以為不用向立法會秘書登記此公司的股份，因為該公司已於 2006 年已停業。 He thought it was not necessary to register his shareholding in the company with the Clerk to LegCo because the company had ceased business since 2006.</p>	<p>--</p>

董事職位
Directorships

黃宜弘議員
Dr Hon Philip WONG Yu-hong

自第四屆立法會開始至今，黃宜弘議員曾登記
他擔任的受薪董事職位總覽表

Consolidated list of the remunerated directorships registered by Dr Hon Philip WONG Yu-hong since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			6.10.2008	7.5.2011
1	永固紙業有限公司 (主席兼行政總裁) (6.10.2008) (主席) (7.5.2011) Winco Paper Products Co. Ltd. (Chairman & Chief Executive) (6.10.2008) (Chairman) (7.5.2011)	製造 Manufacturing	✓	✓
2	勤+緣媒體服務有限公司 (非執行主席) Qin Jia Yuan Media Services Co. Ltd. (Non-executive Chairman)	投資控股 Investment Holding	✓	✓
3	亞洲保險有限公司(董事) Asia Insurance Co. Ltd. (Director)	保險 Insurance	✓	✓
4	亞洲金融集團(控股)有限公司 (董事) Asia Financial Holdings Ltd. (Director)	金融機構 Financial Institution	✓	✓
5	合興集團控股有限公司 (董事) Hop Hing Group Holdings Ltd. (Director)	投資控股 Investment Holding	✓	✓
6	Elec & Eltek International Co. Ltd (董事) (Director)	製造 Manufacturing	✓	×
7	香港能多潔業有限公司 (非執行主席) Rentokil Initial Hong Kong Ltd. (Non-executive Chairman)	滅蟲服務 Pest Control Operator	✓	×
		總數 Total	7	5

✓ 表示該日就受薪董事職位所登記的公共或私營公司中，已包括該公司
denotes that the company was included in the public or private companies registered on that date for holding remunerated directorships.

× 表示該日就受薪董事職位所登記的公司中，沒有包括該公司。
denotes that the company was not included in the companies registered on that date for holding remunerated directorships.

股份
Shareholdings

黃宜弘議員
Dr Hon Philip WONG Yu-hong

自第四屆立法會開始至今，黃宜弘議員曾登記
他持有股份的公司總覽表

Consolidated list of the companies in which Dr Hon Philip WONG Yu-hong has/had shareholdings and registered since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			6.10.2008	7.5.2011
1	永固紙業有限公司 Winco Paper Products Co. Ltd.	製造 Manufacturing	✓	✓
2	勤+緣媒體服務有限公司 Qin Jia Yuan Media Services Co. Ltd.	投資控股 Investment Holding	✓	✓
3	Goodhold Limited	投資控股 Investment Holding	✓	✓
4	Grand Treasure Properties Limited	物業投資 Property Investment	✓	✓
5	Hunterland City Limited	小說創作 Novel Writing	✓	✓
6	Triglory Corporation	小說創作 Novel Writing	✓	✓
7	Overseas Lion International Ltd.	提供公關服務 Provision of PR Services	✓	✓
8	Qin Jia Yuan Cultural Asssets (Hong Kong) Company Limited	提供媒體服務 Provision of Media Services	✓	✓
9	Dynamic Master Development Limited	投資控股 Investment Holding	✓	✓
10	Econonew Profits Limited	投資控股 Investment Holding	✓	✓
11	Qin Jia Yuan Advertising Co. Ltd.	投資控股 Investment Holding	✓	✓
12	Sunny World Management Ltd.	提供媒體服務 Provision of Media Services	✓	✓
13	Allied Systems Investment Ltd.	投資控股 Investment Holding	✓	✓
14	Happily Development Ltd.	物業投資 Property Investment	✓	✓
15	Qin Jia Yuan Media Services, Productions, Distributions Co. Ltd.	投資控股 Investment Holding	✓	✓
16	Design Leader Holdings Ltd.	投資控股 Investment Holding	✓	✓
17	Fast Success Development Ltd.	投資控股 Investment Holding	✓	✓
18	Extra Bright Development Ltd.	投資控股 Investment Holding	✓	✓

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			6.10.2008	7.5.2011
19	Qin Jia Yuan Shares Co. Ltd.	投資控股 Investment Holding	✓	✓
20	Qin Jia Yuan Publishing Co. Ltd.	商標持有 Holding Trademark	✓	✓
21	Qin Jia Yuan Marketing (Shenzhen) Co. Ltd.	提供市場研究及形象設計服務 Provision of Marketing Research & Image Design Services	✓	✓
22	Qin Jia Yuan Production Services (Shenzhen) Co. Ltd.	提供服裝及形象設計服務 Provision of Costumes & Image Design Services	✓	✓
23	Communication & You Holdings Co. Ltd.	提供媒體服務 Provision of Media Services	✓	✓
24	Modern Profit Assets Ltd.	物業投資 Property Investment	✓	✓
25	Qin Jia Yuan China Investment Co. Ltd.	投資控股 Investment Holding	✓	✓
26	Golden Force Pharmacy Ltd.	投資控股 Investment Holding	✓	×
27	Legend Age Limited	投資控股 Investment Holding	✓	✓
28	Classic Field Limited	投資控股 Investment Holding	✓	✓
29	Golden Force Group (International) Ltd.	投資及管理 Investment & Management	✓	×
30	Victory Bay Limited	投資控股 Investment Holding	✓	✓
31	Huge Smart Limited	物業投資 Property Investment	✓	✓
32	Winner Top Development Ltd.	物業投資 Property Investment	✓	✓
33	United Mind Investment Group Ltd.	投資控股 Investment Holding	✓	✓
34	Medicare Investment Ltd.	投資控股 Investment Holding	✓	✓
35	Kate International Development Ltd.	投資 Investment	×	✓
36	Chapter Far East Ltd. (卓達遠東有限公司)	投資 Investment	×	✓
總數 Total			34	34

✓ 表示該日登記的公司的名單包含該公司
denotes that the company was included in the list of companies registered on that date

× 表示該日登記的公司的名單不包含該公司
denotes that the company was not included in the list of companies registered on that date

董事職位
Directorships

黃宜弘議員
Dr Hon Philip WONG Yu-hong

有關黃宜弘議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後向立法會秘書登記的受薪董事職位所須提供的資料

Information to be provided in relation to remunerated directorship(s) registered by

Dr Hon Philip WONG Yu-hong with the Clerk to Legislative Council since 27 April 2011 (i.e. the date on which news reports referred to in the complaints were published)

* 須予提供的資料

Information to be provided

公司名稱 Name of company	業務性質 Nature of business	取消登記日期 Date of De-registration	*終止為受薪董事的日期 Date of Ceasing to be Remunerated Director	(If applicable 如適用者) *沒有在變更後14天內登記的原因 Reason(s) for failing to register within 14 days of such change
Elec & Eltek International Co. Ltd (董事) (Director)	製造 Manufacturing	7.5.2011	1 Jan 2010	Staff oversight.
香港能多潔榮業有限公司 (非執行主席) Rentokil Initial Hong Kong Ltd. (Non-executive Chairman)	滅蟲服務 Pest Control Operator	7.5.2011	1 Jan 2009	Staff oversight.



簽署 Signature:

Philip Wong

黃宜弘議員

Dr Hon Philip WONG Yu-hong

日期 Date :

14 June 2011

Post-it Fax Note	7671	Date	7/5/2011	# pages	2
To	Mr. Philip WONG	From	Joey		
Co./Dept.	Clerk to Secretariat	Co.	Office of Dr. Hon Philip WONG		
Phone #	28699268	Phone #	25318061		
Fax #	25371204	Fax #	28805978		

股
Shareh

黃宜弘議員
Dr Hon Philip WONG Yu-hong

有關黃宜弘議員自2011年4月27日(即投訴相關的新聞報道刊登日期)或之後
向立法會秘書登記的股份所須提供的資料

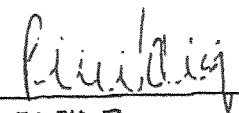
Information to be provided in relation to shareholdings registered by
Dr Hon Philip WONG Yu-hong with the Clerk to Legislative Council since 27 April 2011
(i.e. the date on which news reports referred to in the complaints were published)

* 須予提供的資料
Information to be provided

於7.5.2011 登記的公司名稱 Name of company registered on 7.5.2011	業務性質 Nature of business	*開始持有面值 超過1%已發行股本 的股份的日期 Date of acquisition of shares of value greater than 1% of issued share capital	(如適用者If applicable) *沒有在開始持有股份後14天內登 記的原因 Reason(s) for failing to register within 14 days of acquisition
Kate International Development Ltd.	投資 Investment	26 October 2010	Staff oversight. This is a \$2 company solely for the acquisition of a piece of property in Hong Kong.
Chapter Far East Ltd. (卓達遠東有限公司)	投資 Investment	26 October 2010	No operational activities.

於7.5.2011 撤銷登記的 公司名稱 Name of company de-registered on 7.5.2011	業務性質 Nature of business	*終止持有面值 超過1%已發行股本 的股份的日期 Date of ceasing to hold shares of value greater than 1% of issued share capital	(如適用者If applicable) *沒有在終止持有股份後14天內登 記的原因 Reason(s) for failing to register within 14 days of ceasing to hold the shares
Golden Force Pharmacy Ltd.	投資控股 Investment Holding	Dissolved on 25 June, 2005.	Staff resigned. Staff replaced did not pick up the information.
Golden Force Group (International) Ltd.	投資及管理 Investment & Management	Did not dissolve.	Staff resigned. Staff replaced oversight as it were dissolved

簽署 Signature :


黃宜弘議員
Dr Hon Philip WONG Yu-hong

日期 Date : 7 June 2011

針對霍震霆議員、梁劉柔芬議員、梁君彥議員
詹培忠議員、黃宜弘議員及葉國謙議員的投訴

Complaints against Hon Timothy FOK, Hon Mrs Sophie LEUNG, Hon Andrew LEUNG,
Hon CHIM Pui-chung, Dr Hon Philip WONG and Hon IP Kwok-him

黃宜弘議員

Dr Hon Philip WONG

董事職位

Directorships

公司名稱 (業務性質) Name of company (nature of business)	終止為 受薪董事 的日期 Date of ceasing to be remunerated director	在第四屆 立法會任期內 向立法會秘書 取消登記 的日期 Date of de-registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期取消登記 的時間 Delay in de-registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備註 Remarks
依利安達集團 有限公司 (製造) Elec & Eltek International Co. Ltd. (Manufacturing)	1.1.2010	7.5.2011	1 年 4 個半月 1 year and 4.5 months	員工疏忽 staff oversight	---
香港能多潔 榮業有限公司 (滅蟲服務) Rentokil Initial Hong Kong Ltd. (Pest control operator)	1.1.2009	7.5.2011	2 年 4 個半月 2 years and 4.5 months	員工疏忽 staff oversight	---

公司名稱 (業務性質) Name of company (nature of business)	開始持有面值 超過 1% 已發行股本的 股份日期 Date of acquisition of shares of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 登記日期 Date of registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期登記 的時間 Delay in registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
啟昌國際 發展有限公司 (投資) Kate International Development Ltd. (Investment)	26.10.2010	7.5.2011	5 個半月 5.5 months	員工疏忽 staff oversight	---
卓達遠東 有限公司 (投資) Chapter Far East Ltd. (Investment)	26.10.2010	7.5.2011	5 個半月 5.5 months	員工疏忽 staff oversight	---

公司名稱 及 業務性質 Name of company and nature of business	終止持有面值 超過 1% 已發行股本 的股份的日期 Date of ceasing to hold shares of value greater than 1% of the issued share capital	在第四屆 立法會任期內 向立法會秘書 取消登記的日期 Date of de-registration with Clerk to LegCo in the Fourth LegCo	在第四屆 立法會任期內 逾期取消登記 的時間 Delay in de-registration in the Fourth LegCo	議員給予 的理由 Reason given by the Member	備注 Remarks
同興藥業 有限公司 (投資控股) Golden Force Pharmacy Ltd. (Investment holding)	公司已於 2005 年 6 月 25 日解散。 The company was dissolved on 25.6.2005.	7.5.2011 他於2008年10月6日向立 法會登記此公司股份的 個人利益。 He registered his shareholding interest in the company with the Clerk to LegCo on 6.10.2008.	2 年 7 個月 2 years and 7 months	因為員工辭職， 而替補的員工未 有跟進處理有關 資料。 "staff resigned and staff replaced" did not pick up the information.	---
同興集團 (國際)有限 公司 (投資及管理) Golden Force Group (International) Ltd. (Investment and management)	他仍持有此公司 1%以上的已發行 股本。 He still owns more than 1% of the issued share capital of the company.	7.5.2011 他於 2008 年 10 月 6 日向 立法會登記此公司股份的 個人利益。他不應向立法 會秘書取消登記此公司， 他在 26 日期間 (由 7.5.2011 至 1.6.2011) 沒 有登記此個人利益。 He registered his shareholding interest in the company with the Clerk to LegCo on 6.10.2008. He ought not de-register this company with the Clerk to LegCo. He has not registered such an interest for 26 days (i.e. from 7.5.2011 to 1.6.2011).	不適用 not applicable	員工辭職，而替 補的員工以為該 公司已經解散 "staff resigned and staff replaced" thought the company was dissolved	他已於 2011 年 6 月 2 日向立法 會秘書重新登記 此公司。 He re-registered his shareholding interest in this company with the Clerk to LegCo on 2.6.2011.

董事職位
Directorships

葉國謙議員
Hon IP Kwok-him

自第四屆立法會開始至今，葉國謙議員曾登記
他擔任的受薪董事職位總覽表

Consolidated list of the remunerated directorships registered by Hon IP Kwok-him
since the beginning of the Fourth Legislative Council

	公司名稱 Name of company	業務性質 Nature of business	登記日期 Date of registration	
			3.10.2008	15.10. 2008
1	盈信控股(國際)有限公司 (獨立非執行董事) Vantage International (Holdings) Limited (Independent Non-Executive Director)	Not provided	✓	×
2	盈信控股有限公司 (獨立非執行董事) Vantage (Holdings) Limited (Independent Non-Executive Director)		×	✓
總數 Total			1	1

✓ 表示該日就受薪董事職位所登記的公共或私營公司中，已包括該公司
denotes that the company was included in the public or private companies registered on that
date for holding remunerated directorships.

× 表示該日就受薪董事職位所登記的公司中，沒有包括該公司。
denotes that the company was not included in the companies registered on that date for holding
remunerated directorships.



中華人民共和國香港特別行政區
立法會議員
Legislative Councillor, HKSAR
of the People's Republic of China

立

附錄 XIV(b)
Appendix XIV(b)



Hon IP Kwok-him, GBS JP

密 件
CONFIDENTIAL

致：議員個人利益監察委員會
秘書蘇美利小姐

有關 貴委員會 5 月 24 日致本人來函收悉。就委員會邀請本人提交兩項資料 現
回覆如下：

- 1) 本人已於 2007 年 8 月 14 日起正式辭任“現代殯儀服務有限公司”董事一職。
- 2) 本人並沒有持有“現代殯儀服務有限公司”面值超越該公司已發行股本的百分之
一的股份。

附上本人辭任“現代殯儀服務有限公司”董事信函副本，以供參考。

若委員會希本人再提供任何相關資料，本人樂於提交。

葉國謙

2011 年 5 月 27 日

For Information:

ASG(3)

CCS(3)3

SCS(3)2



The Board of Directors,
MODERN FUNERAL SERVICE COMPANY LIMITED


Hong Kong, 14th August 2007

Dear Sirs,

Resignation of Directorship

I, the undersigned, hereby tender my resignation of directorship of your Company with immediate effect and hereby waive all my claims of whatever nature which I may entitle against your Company.

Yours faithfully,


Kwok Him