

CONFIDENTIAL

By Fax

MEMO

From Secretary for Planning and Lands
 Ref. (8) in PLB(CR) 51/57/19
 Tel. No. 2848 2568
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 Date 23 November 2001

To Director of Corruption Prevention, ICAC
 (Attn: Ms Evelyn Chan)
 Your ref. (2) in CPD/PD/6
 Dated 6.11.01 Fax. 2521 8479
 Total Pages 2

West Kowloon Reclamation Concept Plan Competition
 Declarations of Interest

Thank you for your helpful comments and advice.

2. I mentioned in my memo of 18 October that the considerations therein had been also put to the Professional Advisor to the competition for his advice in the light of his experience of how such matters have been handled in similar international competitions. He has advised as follows –

"I think it is not an imposition on Technical Panel members, Jury members, or anyone officially connected with the competition to declare whether or not their association with a contestant or a business represents a conflict of interest, either real or implied. I would be happy to review such cases on an individual basis if your group feels it would be helpful. Normally, all Jurors and Technical Panel members are expected to sign a binding agreement of confidentiality and conflict of interest notification, such as the one you have developed."

3. We shall extend the proposed declaration arrangements to the Jury and the Professional Advisor in addition to the Technical Panel. They will then apply to everyone participating in the decision-making at both the technical assessment and adjudication stages of the competition. I attach the finalised version of the declaration to be made by members of the Technical Panel.

4. We prefer to proceed initially on the basis of a declaration to the best of the declarant's knowledge. Accordingly, we consider that it is unnecessary to ask entrants for consent to waive the confidentiality provisions so that declarations can be made with knowledge of entrants' identities. We will however consider your suggestion that there should be a further opportunity (for all those who have completed the initial "best of my knowledge" declaration), to declare any conflicts of interest in the light of the identities of the winning entries, before they are announced. We agree that this would help to safeguard the integrity of the competition.



(Eric Johnson)

for Secretary for Planning and Lands

c.c. D of Plan (Attn: Mr C K Li)

Fax: 2881 0636

Source: Mr Raymond YOUNG, witness appearing before the Select Committee

West Kowloon Reclamation Concept Plan Competition

DECLARATION BY MEMBERS OF THE TECHNICAL PANEL

I, being a member of the Technical Panel for the West Kowloon Reclamation Concept Plan Competition, declare that I have read paragraph 16 of the General Conditions of the Competition Document, reproduced below:

16. All those likely to be in conflict of interest are excluded from the Competition including but not necessarily limited to the following:

- (i) Persons closely associated with the Competition and their immediate family members;
- (ii) Members of the Jury and the Technical Panel, and the Professional Advisor and their immediate family members;
- (iii) An employee, any person having an employment-type contract or at continuous and close professional association or partnership with a member in category (i) and (ii) above; or
- (iv) A company of which a member in category (i) and (ii) above is a director or major shareholder.

and that, in relation to paragraph 16 (ii), (iii) and (iv) above –

*(a) to the best of my knowledge, none of my immediate family members or employees and no-one who has an employment-type contract or close professional association or partnership with me, has entered the competition;

*(b) I believe that the following, among my immediate family members or employees and those who have an employment-type contract or close professional association or partnership with me, have entered the competition;

Name of entrant	Relationship with entrant

*(c) I am not a director or major shareholder of any company;

*(d) no company of which I am a director or major shareholder has entered the competition;

*(e) a company of which I am a director or major shareholder has entered the competition. The company's name is:

I understand that the entries to the competition are issued to me for my personal and confidential assessment and that the assessment of entries by the Technical Panel is to be carried out in strict confidence.

* delete (a) or (b); if you delete
(a), complete (b)

Signed : _____

Name : _____

delete/complete as appropriate;
whichever one applies, delete the
other two

Date : _____