

立法會
Legislative Council

LC Paper No. CMI/7/12-13

Ref: CB(3)/C/2 (12-16)

Committee on Members' Interests
Paper for the meeting on 26 November 2012

List of issues suggested to be considered

1. Review of requirements for Members' registration of interests

The Committee on Members' Interests ("CMI") of the Legislative Council ("LegCo") of the previous term considered that the existing Registration Form should be improved to facilitate Members to register their interests of "directorships", "remunerated employment, offices, etc.", "clients", "shareholdings" and "land and property" as well as particulars of any change to such interests as required under Rule 83(5) of the Rules of Procedure ("RoP"). CMI also considered that the Registration Form should be made a part of RoP in order to stipulate expressly that Members are not only required to comply with the registration requirements under the said rule but also to provide the particulars as required in the Registration Form. Moreover, CMI was of the view that changes should be made to the registration requirements to enhance transparency and accountability.

To effect the relevant proposals, the Chairman of CMI of LegCo of the previous term intended to move a motion at the Council meeting of 11 July 2012 (i.e. the last Council meeting of that LegCo term). However, the motion had not been dealt with before the prorogation of the term of the Fourth LegCo. Members may wish to consider how to follow up the matter.

2. Proposal of appointing an independent commissioner to handle complaints against Members

To address public concern about Members conducting investigation into complaints about the conduct of their fellow legislators, CMI of LegCo of the previous term studied the mechanisms for dealing with

complaints against Members of Parliament in some selected overseas legislatures. Members noted that both the House of Commons of the United Kingdom and the Canadian House of Commons appointed an independent commissioner to deal with complaints against their Members for breaching a code of conduct and other misconduct. CMI studied the proposal of appointing an independent person as commissioner to handle complaints against Members and consulted all Members of the Fourth LegCo on it. CMI recommended that the matter be followed up by CMI of the Fifth LegCo.

3. Review of the procedure of CMI for handling complaints

CMI of LegCo of the previous term proposed various changes to the procedure for handling complaints, including extending the time limit for the Chairman of CMI to decide whether a meeting should be held to consider a complaint, extending the time limit for holding the first meeting after the Chairman has so decided, stipulating more specifically the purpose of the first meeting (the first series of meetings) to consider a complaint, and giving consideration to whether the steps to be taken in the Preliminary Consideration Stage should be set out more clearly, etc. As these issues are pertinent to item 2 of the issues suggested to be considered above, CMI of LegCo of the previous term was of the view that they should be considered together.

Council Business Division 3
Legislative Council Secretariat
21 November 2012