

**The Government's response to the matters raised  
at the meeting of the Bills Committee  
on the Property Management Services Bill  
held on 6 July 2015**

**Purpose**

This paper sets out the Government's response to Members' concerns raised at the meeting of the Bills Committee on the Property Management Services Bill (the Bill) on 6 July 2015.

**Clause 46 - Disclosure of interests**

2. Clause 46 of the Bill provides for the procedures for disclosure of interests by members of the Property Management Services Authority (PMSA) at a meeting. If a member of the PMSA has a "disclosable interest"<sup>Note 1</sup> in any matter under discussion at a meeting of the PMSA, the member must disclose the nature of the interest at the meeting and the disclosure must be recorded in the minutes of the meeting.

3. The definition of "disclosable interest" in clause 46(1) of the Bill (see **Note 1**) includes all actual or potential interests. Clause 46(2) also requires members of the PMSA to disclose the nature of the interests. Therefore, we consider that the present drafting of clause 46 of the Bill has fully reflected our legislative intent.

4. With reference to the provisions concerning "disclosure of interests" in other legislations (such as section 30 of Schedule 5 to the Competition Ordinance (Cap. 619), section 10 of the Estate Agents Ordinance (Cap. 511) and section 38 of the West Kowloon Cultural District Authority Ordinance (Cap. 601)), we are of the view that it is more appropriate to use "應披露利害關係", instead of "應披露利益關係", as the Chinese equivalent of "disclosable interest".

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<sup>Note 1</sup> According to clause 46(1) of the Bill, "disclosable interest" (「應披露利害關係」) means –  
(a) a pecuniary interest (whether direct or indirect); or  
(b) a personal interest greater than that which a person has as a member of the public.

5. Under clause 46(1)(b) of the Bill, “disclosable interest” is defined as “a personal interest greater than that which a person has as a member of the public”. These may include interpersonal relationship (such as spouse, relatives, friends, etc.), or individual member’s relationship with other relevant organisations / institutes. Similar requirement is also found in other legislations, such as section 30 of Schedule 5 to the Competition Ordinance (Cap. 619) and section 14 of the Communications Authority Ordinance (Cap. 616).

**Home Affairs Department**  
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