# 立法會 Legislative Council

立法會 CB(2)904/16-17(01)號文件

檔號: CB2/SC/16

# 調查梁振英先生與澳洲企業 UGL Limited 所訂協議的事宜 專責委員會

#### 職權範圍

#### 目的

本文件旨在請委員確認調查梁振英先生與澳洲企業 UGL Limited 所訂協議的事宜專責委員會("該專責委員會")的職權範圍。

## 背景

2. 為處理 2016年 11 月 2 日立法會會議上提交的呈請書的專責委員會籌備運作事宜的小組委員會("該小組委員會")在其提交予內務委員會的報告中,建議該專責委員會的職權範圍如下:

"調查有關梁振英先生在 2011 年與澳洲企業 UGL Limited 簽訂協議("UGL 協議"),並於就任行政長官後從該企業收取與 UGL 協議有關的 400 萬英鎊款項("該款項")的以下事宜:(i)梁先生有否遵從《基本法》第四十七條及行政會議成員利益申報制度下的申報規定、(ii)UGL 協議與梁先生行政長官的身份有否構成任何利益衝突,以及(iii)該款項根據香港法例是否應予課稅。"

"To inquire into the following matters regarding Mr LEUNG Chun-ying's signing of an agreement with the Australian firm UGL Limited in 2011 ("UGL Agreement") and his receipt of payments amounting to £4 million from UGL Limited ("Payments") in connection with the UGL Agreement after assuming the office of Chief Executive: (i) whether Mr LEUNG had complied with the declaration requirements under Article 47 of the Basic Law and the

system of declaration of interests by Members of the Executive Council, (ii) whether the UGL Agreement had given rise to any conflict of interests on the part of Mr LEUNG as the Chief Executive, and (iii) whether the Payments were taxable under the laws of Hong Kong."

3. 內務委員會在 2017 年 1 月 20 日的會議上察悉該小組委員會就該專責委員會的職權範圍所提出的建議<sup>1</sup>。

## 職權節圍

4. 由於梁繼昌議員及尹兆堅議員在 2016 年 11 月 2 日的立法會會議上聯署提交呈請書,而立法會把呈請書交付專責委員會處理,該專責委員會遂據此成立。為說明該專責委員會的職權範圍應反映呈請書的要旨,現建議該專責委員會在日後的文件中以下述方式表述其職權範圍:

"專責委員會的職權範圍反映梁繼昌議員及尹兆堅議員在2016年11月2日的立法會會議上聯署提交並根據《議事規則》第20(6)條交付專責委員會處理的呈請書的要旨,內容如下:

調查有關梁振英先生在2011年與澳洲企業UGL Limited簽訂協議("UGL協議"),並於就任行政長官 後從該企業收取與UGL協議有關的400萬英鎊款項 ("該款項")的以下事宜:(i)梁先生有否遵從《基本 法》第四十七條及行政會議成員利益申報制度下的 申報規定、(ii)UGL協議與梁先生行政長官的身份有 否構成任何利益衝突,以及(iii)該款項根據香港 法例是否應予課稅。"

"The terms of reference of the Select Committee, which reflect the substance of the petition jointly presented by Hon Kenneth LEUNG and Hon Andrew WAN at the Council meeting of 2 November 2016 and referred to the Select Committee under Rule 20(6) of the Rules of Procedure, are as follows:

To inquire into the following matters regarding Mr LEUNG Chun-ying's signing of an agreement with the Australian

<sup>&</sup>lt;sup>1</sup> 在同一次會議上,內務委員會亦通過採納該小組委員會就該專責委員會的 委員人數及提名和選舉議員以供任命為該專責委員會委員的程序所作出 的建議。

firm UGL Limited in 2011 ("UGL Agreement") and his receipt of payments amounting to £4 million from UGL Limited ("Payments") in connection with the UGL Agreement after assuming the office of Chief Executive: (i)whether Mr LEUNG had complied with the declaration requirements under Article 47 of the Basic Law and the system of declaration of interests by Members of the Executive Council, (ii) whether the UGL Agreement had given rise to any conflict of interests on the part of Mr LEUNG as the Chief Executive, and (iii) whether the Payments were taxable under the laws of Hong Kong."

#### 徵詢意見

5. 謹請委員確認上文第 4 段所載該專責委員會的職權範圍。

立法會秘書處 議會事務部 2 2017 年 3 月 1 日