

機密
CONFIDENTIAL

For witness'
reference

**Investigation Committee
established under Rule 49B(2A) of the Rules of Procedure
in respect of the motion to censure Hon Holden CHOW Ho-ding**

Terms of reference of the Investigation Committee

Under Rule 73A(2) of the Rules of Procedure, the Investigation Committee ("IC") is responsible for establishing the facts stated in the motion moved by Hon Claudia MO under Article 79(7) of the Basic Law and Rule 49B(1A) of the Rules of Procedure to censure Hon Holden CHOW Ho-ding, and giving its views on whether or not the facts as established constitute grounds for the censure.

Certain matters relating to hearing as referred to in the Practice and Procedure of the Investigation Committee

2. The hearing on 26 February 2019 shall be conducted according to the Practice and Procedure of the IC, and your attention is drawn to the following matters:

- (a) Pursuant to paragraphs 6 to 8 of the Practice and Procedure and Rules 73A(4) and (5) of the Rules of Procedure, as Hon Holden CHOW has not elected for the hearings to be held in public, today's hearing (and any subsequent hearing(s)) shall be held in private.
- (b) Under paragraph 27 of the Practice and Procedure, evidence obtained in hearings held in private, written statements and other documents provided to the IC, information relating to other meetings of the IC and any related correspondence are confidential and remain so unless and until they are published or declassified by the IC.
- (c) In accordance with paragraph 33 of the Practice and Procedure, you have signed the confidentiality undertaking that you will not publish or disclose, without the prior written authorization of the IC, any matter relating to the proceedings of meetings or hearings of the IC held in private, including evidence given or taken before the IC, documents produced to it and its decisions, except such matter that has already been

published with the IC's consent or contained in any report presented by the IC to the Legislative Council. You also undertake that you will take the necessary steps to prevent publication or disclosure of such matter either before or after the IC presents its report to the Legislative Council, unless the confidential classification has been removed by the IC.

- (d) Under paragraph 22 of the Practice and Procedure, the relevant parts of the draft verbatim transcripts of the proceedings of the hearings containing the evidence given by you will be forwarded to you for sight and correction, before they are incorporated into the minutes of evidence. For hearings held in private, before the draft verbatim transcripts are passed to you, you are required to sign an undertaking that you would not make copies of the drafts, disclose or otherwise make public use of them or any part thereof, or use the transcripts in a manner prejudicial to the work of the IC, and that you would return the drafts to the IC before a specified date.