

立法會 *Legislative Council*

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Select Committee to Inquire into Matters about the Agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited

Proposed major areas of study

Purpose

This paper invites members to consider the proposed major areas of study of the Select Committee to Inquire into Matters about the Agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited ("the Select Committee").

Proposed major areas of study

2. Having regard to the Select Committee's terms of reference as recommended by the Subcommittee to Prepare for the Operation of the Select Committee on the Petition Presented at the Council Meeting of 2 November 2016, the Secretariat has drawn up in the **Appendix** the proposed major areas of study of the Select Committee which may be refined as and when necessary in the light of the work progress of the Select Committee. The sequence of study may not necessarily follow the order of the proposed areas as set out in this paper.

Advice sought

3. Members are invited to give views on the proposed major areas of study set out in the **Appendix**.

Proposed Major Areas of Study

- I. Background, nature and details of the agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited ("UGL") signed in 2011 ("UGL Agreement"), including:**
- (a) major terms and conditions of the UGL Agreement;
 - (b) the amount and nature of the payments made to Mr LEUNG by UGL ("Payments"), the payment method(s) and timing of payment(s); and
 - (c) whether Mr LEUNG had provided any service or assistance to UGL as per the terms of the UGL Agreement, after he had become the Chief Executive.
- II. Declaration requirements under Article 47 of the Basic Law ("BL") and the system of declaration of interests by Members of the Executive Council**
- (a) what were the requirements applicable to the Chief Executive in relation to declaration of interests under BL 47 and the relevant system of declaration of interests of the Executive Council at the time Mr LEUNG assumed the office of the Chief Executive;
 - (b) whether such requirements had to be complied with at the assumption of office or whether such requirements had to be complied with at the assumption of office and throughout the term of the office;
 - (c) whether the Payments fell within the scope of interests required to be declared under BL 47 and the relevant system of declaration of interests of the Executive Council; and
 - (d) if so, whether Mr LEUNG had complied with those requirements to declare his interests in receiving the Payments, upon assumption or during the term of the office of the Chief Executive.

III. Conflict of interests

- (a) whether the terms of the UGL Agreement were still in force and the rights and obligations under the UGL Agreement were still capable of being enforced after Mr LEUNG had assumed the office of the Chief Executive; and, if so, whether such fact had given rise to any conflict of interests on the part of Mr LEUNG;
- (b) the nature and effect of the term under the UGL Agreement "to provide such assistance in the promotion of the UGL Group and the DTZ Group as UGL may reasonably require, including but not limited to acting as a referee and adviser from time to time" ("Term");
- (c) whether the Term had been modified in any way and, if so, the effect of the Term as modified;
- (d) whether Mr LEUNG's commitment pursuant to the Term, or the Term as modified, had given rise to any conflict of interests, whether actual or potential;
- (e) whether Mr LEUNG provided any service or assistance to UGL pursuant to the UGL Agreement during his term of office as the Chief Executive which had given rise to any actual or potential conflict of interests; and
- (f) whether there were other aspects of the UGL Agreement that had given rise to any actual or potential conflict of interests.

IV. Taxation issues

- (a) whether the Payments or any part(s) of the Payments were taxable under the laws of Hong Kong; and
- (b) if the answer to IV(a) above is in the affirmative, whether Mr LEUNG had complied with the taxation laws in force.