

District Council Standing Orders (Model Text)

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Part A INTRODUCTION

I. GENERAL

1. Definitions

In the District Council Standing Orders (Standing Orders), unless otherwise specified,

- (1) “Chairman of the District Council” means the District Officer of a District, who is to be the Chairman of the District Council (the DC Chairman) of the District under section 62 of the District Councils Ordinance;
- (2) “Member” means a person appointed as a member of a District Council (DC), a person elected at an election as a member of a DC, or a person registered as an ex officio member of a DC as defined in section 2 (Interpretation) of the District Councils Ordinance (hereinafter called “DC member”);
- (3) “Co-opted member” means a person who is not a DC member and is appointed by the DC Chairman as a member of a committee of the DC under section 71(2) of the District Councils Ordinance;
- (4) “Secretary of the District Council” (DC Secretary) means a person appointed by the DC Chairman as the secretary under section 69 of the District Councils Ordinance;
- (5) “Chairman” generally means the DC Chairman, or any person appointed as the chairman of a committee or working group of the DC, as the case may be;
- (6) “Vice-Chairman” means a person appointed as the vice-chairman of a committee of the DC;
- (7) “Meeting” generally means a meeting of the DC, or of a committee or working group of the DC, as the case may be;
- (8) “Chairman of a meeting” generally means the “chairman” or a person who performs the duties of the chairman on his behalf in accordance with the relevant provisions of the Standing Orders;
- (9) “Secretary” means the DC Secretary, or a person holding office as the secretary of a committee or working group of the DC, as the case may be;

- (10) “Member of a committee” means any member of a committee of the DC, i.e. the chairmen of committees, committee members who are DC members, and committee members who are co-opted members;
- (11) “Member of a working group” means any member of a working group of the DC, i.e. the chairmen of working groups, working group members who are DC members, and working group members who are co-opted members;
- (12) “Clear working days” mean, where an act is required to be done a specified number of clear working days before or after a specified date, at least that number of days must intervene between the day on which the act is done and that date, excluding Saturdays, Sundays, public holidays;
- (13) “Absolute majority of votes” means more than half of the valid votes cast excluding abstentions; and
- (14) “Media Representative” means media agency registered under the Government News and Media Information System.

2. **Composition of the District Council**

The DC is to consist of the District Officer of the District, appointed members, ex officio members (if there is one or more Rural Committees in the District), the members for the District Committees constituency of the DC and the members for the geographical constituencies of the DC. (Section 5(1) of the District Councils Ordinance)

3. **Making standing orders**

Section 68 of the District Councils Ordinance provides that the **DC Chairman** may make standing orders for regulating the procedure of the DC and its committees. The Standing Orders are made by the **DC Chairman** in accordance with section 68 of the Ordinance, and may be amended by the **DC Chairman** as he considers appropriate.

4. **Final decision on Standing Orders**

If DC member or member of a committee disputes any of the Standing Orders, the interpretation of the **DC Chairman** shall prevail. The decision of the **DC Chairman** on a point of order shall be final.

5. **Proceedings of the District Council not affected by vacancy in membership, suspension of duties, etc.**

The validity of the proceedings of the DC is not affected by a vacancy in the membership of the DC, the suspension of duties of any member, a defect in the appointment, registration or election of a member, or a defect as to

the eligibility of a person to be a member. A vacancy in the membership of the DC includes a vacancy in its membership when it first meets after an ordinary election. (Section 72 of the District Councils Ordinance)

6. **Observance of Standing Orders**

The **DC Chairman**, DC members, co-opted members and all persons attending or observing a meeting of the DC are obliged to observe the Standing Orders where applicable.

7. **To be read in conjunction with the Performance Monitoring Guidelines for Members of the District Councils**

- (1) The Performance Monitoring Guidelines for Members of the District Councils (Performance Monitoring Guidelines) set out the acts which may constitute misconduct of a DC member, including non-compliance with the Standing Orders. The Performance Monitoring Guidelines also provide for the applicable investigation procedure, sanctions and appeal proceedings.
(Section 72C of the District Councils Ordinance)
(Section 72D of the District Councils Ordinance)
(Section 72E of the District Councils Ordinance)

- (2) The Standing Orders should be read in conjunction with the App 1 Performance Monitoring Guidelines at Appendix 1.

II. CHAIRMAN OF THE DISTRICT COUNCIL

8. **District Officer to be Chairman of the District Council**

The District Officer of a District is to be the **DC Chairman** of the District. (Section 62 of the District Councils Ordinance)

9. **Duties of Chairman of the District Council**

The **DC Chairman** is to perform the duties of a **DC Chairman** in accordance with the powers conferred by the District Councils Ordinance, which include the following:

- (1) To preside at meetings of the DC. (Section 66 of the District Councils Ordinance)
- (2) To make standing orders for regulating the procedure of the DC and its committees. (Section 68(1) of the District Councils Ordinance)
- (3) To appoint DC Secretary and determine his duties. (Section 69 of the District Councils Ordinance)

- (4) To appoint committees of the DC and appoint the chairmen of the committees. The **DC Chairman** may also appoint any person who is not a DC member to the committee. (Section 71(1) to (3) of the District Councils Ordinance)
- (5) To require DC members to collect the views of the people in the District concerned in respect of an issue specified by the **DC Chairman**. (Section 71A of the District Councils Ordinance)
- (6) To have an original vote and a casting vote if the votes are equal at a meeting of the DC. (Section 67 of the District Councils Ordinance)

10. **No Vice Chairman position in the District Council**

There is no vice chairman position in the DC.

11. **Acting District Officer to be the Chairman of the District Council**

- (1) If the District Officer is unable to perform his duties as the **DC Chairman**, the Home Affairs Department will arrange an acting appointment of a suitable officer as soon as possible. The **DC Chairman's** duties shall be performed by the Acting District Officer.
- (2) If the District Officer is unable to continue to preside at a meeting of the DC or has to withdraw from the meeting in unexpected circumstances (such as he is feeling unwell, or there are conflicts of interests or other reasons), the meeting shall be adjourned immediately for a maximum of 60 minutes. The Home Affairs Department will arrange, where appropriate, for an officer to act as the District Officer as soon as practicable. If the acting appointment cannot be arranged within the adjournment period, the meeting shall be concluded immediately.
- (3) The Acting District Officer is to perform the duties of the **DC Chairman** (including presiding at meetings) and shall have all the powers conferred by the District Councils Ordinance and the Standing Orders on the Chairman as long as he is holding office as the **DC Chairman**. In the Standing Orders, unless otherwise specified, any reference to the "**DC Chairman**" shall be applicable to the office of the **DC Chairman** held by the Acting District Officer.
- (4) Once the Acting District Officer has ceased acting, he shall not perform the duties of the **DC Chairman** (including presiding at meetings).

III. SECRETARY OF THE DISTRICT COUNCIL

12. Appointment of Secretary of the District Council

- (1) For the purpose of carrying out the functions of the DC, the **DC Chairman** may appoint a public officer to act as the DC Secretary. The **DC Chairman** may determine the duties of the person appointed as the DC Secretary. (Section 69 of the District Councils Ordinance)
- (2) The **DC Chairman** shall announce the appointment of the DC Secretary.

13. Duties of the Secretary

- (1) The Secretary shall prepare the agenda, allocate a time slot for each agenda item, and set out the maximum number of speeches and the time limit for each speech for each member of the meeting in the discussion or debate on an agenda item for each forthcoming meeting for approval by the chairman of the meeting, and shall send the approved agenda and all relevant papers to all attendees of the meeting.
- (2) The Secretary shall prepare the minutes of meetings and record attendance (such as arrival and departure times of DC members and co-opted members), the matters discussed, comments and conclusions made (if any) at the meeting. The Secretary shall also prepare audio records of the proceedings of the DC.
- (3) The Secretary shall prepare an attendance register recording details of attendance of DC members and co-opted members (if any) at regular meetings and special meetings. The updated attendance record shall be uploaded to the website of the DC every two months for public inspection. Templates of attendance registers are at App 2

Part B DECLARATION OF INTERESTS

IV. REGISTRATION OF INTERESTS

14. Registration of interests by District Council members and co-opted members in accordance with the orders in this Part

- (1) DC members and co-opted members (Part D) shall register their interests in accordance with Orders 14 to 18 in this Part.
- (2) The District Officer performing the duties of the **DC Chairman** shall continue to observe the requirements on registration of interests applicable to civil servants.

15. Registrable interests

The registrable personal interests of DC members and co-opted members are set out in the Performance Monitoring Guidelines, including the following:

- (1) remunerated proprietorships, partnerships or directorships of companies, public or private, including all proprietorships, partnerships and directorships for which a fee, honorarium, allowance or other material benefit is payable;
- (2) remunerated work, including employments, offices, trades or professions for which a salary, honorarium, allowance or other material benefit is payable;
- (3) the names of companies or other bodies registered in Hong Kong in which a DC member/co-opted member has, either himself or with or on behalf of his spouse or minor children, a beneficial interest in shareholdings of a number greater than one-hundredth of the total number of issued shares;
- (4) in his capacity as a DC member/co-opted member, the financial sponsorships received by himself or his spouse from any person or organisation (stating whether any such sponsorships include any payment or any material benefit or advantage to the DC member/co-opted member or his spouse, whether direct or indirect);

- (5) in his capacity as a DC member/co-opted member, the visits or travels outside Hong Kong made by himself or his spouse relating to or arising out of his membership of the DC or its committees where the costs of any such visits or travels have not been wholly borne by the DC member/co-opted member or public funds (stating whether any such sponsorships include any payment or any material benefit or advantage to the DC member/co-opted member or his spouse, whether direct or indirect);
- (6) land and property held in Hong Kong directly or indirectly;
- (7) the names of clients (to whom a DC member/co-opted member renders personal services which arise out of or are related in any manner to his membership of the DC or its committees, and hence from whom he receives a fee, honorarium, allowance or other material benefit); and
- (8) other declarable interests.

16. **Deadlines for registration of interests**

- (1) Except under the circumstance stated in subsection (3), every DC member shall, **within one month from the commencement of each term**, furnish the DC Secretary with particulars of his registrable interests by using the sample registration form at Appendix 3.

App 3

- (2) Every co-opted member shall, **within one month from the date of his becoming a co-opted member**, furnish the DC Secretary with particulars of his registrable interests by using the sample registration form at Appendix 3.

App 3

- (3) A new DC member shall, **within one month from the date of his becoming a DC member to fill a vacancy**, furnish the DC Secretary with particulars of his registrable interests by using the sample registration form at Appendix 3.

App 3

17. **Updating registered interests**

A DC member or a co-opted member shall furnish the DC Secretary with particulars of any change in his registrable interests **within 14 clear working days of any such change** by using the sample registration form at Appendix 3.

App 3

18. **Public inspection**

- (1) The DC Secretary shall cause the personal interests registered by DC members and co-opted members in accordance with Orders 16 and 17 to be entered in the register of DC members'/co-opted members' personal interests (the register), which shall be made available for inspection by any person during the office hours of the Secretariat of the DC.
- (2) The registration forms on personal interests of DC members or co-opted members will also be uploaded to the website of the DC for public viewing.

V. **DECLARATION OF INTERESTS**

19. **Requirements for declaration of interests**

In the event that the **DC Chairman**, the chairman of a meeting of committee/working group, a DC member/co-opted member finds that he has any direct personal or pecuniary interests in a proposed discussion item on the meeting agenda, or finds that he has any pecuniary or other interests in matters on tender, quotation, etc. being dealt with in a discussion item or has any connection with the benefited party or potential benefited party, he should declare the interests in accordance with the **requirements set out below** in order that a decision on the appropriate course of action can be made.

20. **Chairman of the District Council**

- (1) The **DC Chairman** shall declare interests to the Home Affairs Department as soon as possible. If it is decided that the incumbent District Officer should not preside at the meeting, an acting arrangement will be made in accordance with Order 11.
- (2) The **DC Chairman** shall declare his declarable interests prior to the start of the discussion of the item concerned.

21. **Chairman of a meeting of committee/working group**

- (1) The chairman of a meeting of committee/working group shall notify the Secretary and consult the **DC Chairman** before the meeting. The **DC Chairman** shall decide whether the chairman of a meeting of committee/working group can lead the discussion of the agenda item; and if so, whether he may speak or vote on the matter; and if not, whether he may remain in the meeting as an observer, or should

withdraw from the meeting, while making arrangements to appoint a person to preside at the meeting in accordance with Order 79.

- (2) The chairman of a meeting of committee/working group shall declare his declarable interests to the committee/working group (as the case may be) prior to the start of the discussion of the item concerned.
- (3) If the chairman of a meeting of committee/working group does not find that he has declarable interests until when presiding at a meeting and therefore cannot take action in accordance with subsection (1) before the meeting, the meeting shall be adjourned immediately for a maximum of 60 minutes. The chairman of a meeting of committee/working group shall consult the **DC Chairman** on the matter in subsection (1) as soon as possible. If the **DC Chairman**'s decision cannot be made within the adjournment period, the discussion of the item concerned shall end immediately.

22. **District Council members/co-opted members**

- (1) The DC member or co-opted member shall notify the Secretary before the meeting. The Secretary shall refer it to the chairman of the meeting, who shall then decide whether papers relevant to the item under consideration shall be sent to the DC member or co-opted member. Where a DC member or co-opted member, on receipt of a paper, finds that he has direct personal or pecuniary interests in the item under consideration, he shall immediately inform the Secretary and return the paper to the Secretary.
- (2) The DC member/co-opted member shall declare his registrable interests to the committee/working group, as the case may be, prior to the start of the discussion of the item concerned.
- (3) For DC meetings, the **DC Chairman** shall decide whether a DC member disclosing an interest in an item may speak or vote on the item at the DC meeting, may remain in the meeting as an observer, or should withdraw from the meeting.
- (4) For committee/working group meetings, the chairman of the meeting shall decide whether a member of the committee/working group (other than the chairman of the meeting) disclosing an interest in an item may speak or vote on the item at the meeting, may remain in the meeting as an observer, or should withdraw from the meeting.

VI. FOLLOWING UP AND HANDLING

23. Preparing the minutes of meetings

All cases of declaration of interests shall be recorded in the minutes of the meeting and where appropriate, stating the nature of the interests declared, the comments and/or conclusions made at the meeting and the relevant rationale.

24. Handling of non-compliance

- (1) A DC member failing to comply with the provisions of the Standing Orders on registration or declaration of interests may constitute a misconduct under the performance monitoring mechanism for DC members.
- (2) If a co-opted member fails to comply with the provisions of the Standing Orders on registration or declaration of interests, the **DC Chairman** shall take appropriate actions, including issuing warning, suspension or revocation of appointment.

Part C DISTRICT COUNCIL

VII. PROCEDURE OF MEETINGS

25. Presiding at meetings

The **DC Chairman** is to preside at meetings of the DC. (Section 66 of the District Councils Ordinance)

26. Determining the date, time and place of a meeting

- (1) The first DC meeting must be held within 30 days after the current term of office of the DC commences.
- (2) The date, time and place of a meeting shall be determined by the chairman of the meeting.

27. Frequency of meetings

Meetings shall be convened at least once every two months so far as the actual circumstances permit.

28. **Agenda**

The chairman of a meeting shall ensure that the agenda of the meeting (including discussion items, motions, questions, statements, etc.) and relevant documents do not run contrary to the functions of the DC under section 4A of the District Councils Ordinance, and shall make decisions accordingly.

29. **Issuing documents**

The Secretary shall deliver the notice of meeting, agenda and relevant papers approved by the chairman of the meeting to all attendees of the meeting five clear working days before the meeting unless otherwise agreed by the chairman of the meeting.

30. **Inviting attendance at meetings**

The chairman of a meeting may invite any person, including a public officer, to attend the meeting.

31. **Arrangements under inclement weather and extreme conditions**

- (1) Where Tropical Cyclone Signal No. 8 or above or Black Rainstorm Signal is issued by the Hong Kong Observatory, or where the “extreme conditions” announcement is made by the Government within two hours from a meeting, or such warning or announcement remains in force within two hours from a meeting, the meeting shall be postponed automatically. Notification of the rescheduled date of meeting shall be given separately.
- (2) If Tropical Cyclone Signal No. 8 or above is issued by the Hong Kong Observatory or the “extreme conditions” announcement is made by the Government in the course of a meeting, the meeting should be adjourned immediately. Notification of the rescheduled date of meeting shall be given separately. If Black Rainstorm Signal is issued, the chairman of the meeting shall decide whether the meeting shall continue.

32. **Quorum of a District Council meeting**

- (1) The quorum of a DC meeting is not less than half the DC members holding office for the time being. (Section 70 of the District Councils Ordinance)
- (2) The presence of the **DC Chairman** shall not be counted for the purpose of constituting a quorum of a DC meeting.

- (3) If a quorum is not present at the commencement of a meeting or in the course of a meeting, the chairman of the meeting shall direct the Secretary to summon the absentees. If a quorum is not present 15 minutes thereafter, the chairman of the meeting shall adjourn the meeting.

33. **Adjournment**

The chairman of a meeting may declare the meeting adjourned if he considers it necessary. He may announce the duration of adjournment at the meeting as he considers appropriate.

34. **Languages used at meetings**

- (1) In general, a participant of a meeting should address the meeting in Chinese. He may address the meeting in English, if necessary.
- (2) If any participant of a meeting needs to address the meeting in English, the Secretary shall arrange simultaneous interpretation service from Chinese into English, and vice versa, at the meeting as far as practicable.
- (3) Papers submitted to the DC should be prepared in both Chinese and English as far as practicable if it is considered necessary by the **DC Chairman**.

35. **Observing order**

DC members (including those who are not attending meetings), attendees, public officers and other persons invited to meetings, and persons observing meetings must observe order and shall not act or behave in such a way as to disrupt the proceedings of the meetings, which includes:

- (1) DC members or government officials shall not be prevented from attending or leaving meetings, government offices, or other venues (for example, surrounding DC members or government officials and preventing them from attending or leaving meetings; entering district offices without permission; disrupting order and creating chaos);
- (2) The order of meetings shall not be disrupted (for example, throwing objects during meetings, breaking and disrupting the order of meetings and creating chaos; using loudspeakers, shouting aloud or projecting images without permission, disturbing attendees and disrupting meetings);

- (3) During the course of a meeting, no insulting remarks shall be used against or nuisance be caused to attendees, including DC members and government officials, and no vulgar or abusive language or personal attack is allowed;
- (4) During the course of a meeting, no one shall be allowed to make a speech or interrupt another speaker without the permission of the chairman of the meeting, digress from the subject under discussion, repeat his or other speakers' remarks persistently, or shoot videos or conduct live-broadcast without permission;
- (5) During the course of a meeting, all devices which may emit sound shall be switched off and no telecommunication devices for conversation shall be used at the place of the meeting;
- (6) During the course of a meeting, no one shall be allowed to read newspapers, books, letters or other documents, or watch or browse entertainment programmes, digital media, etc. unless the content therein is directly connected with the business of the DC;
- (7) No one shall impute improper motives to another DC member in such a way that the chairman of the meeting dismisses as groundless;
- (8) No reference shall be made to a case pending ruling of a court of law in such a way that the chairman of the meeting considers it may create a risk of prejudice to the case; and
- (9) A speaker may, subject to any such requirements or restrictions that may from time to time be imposed by the chairman of the meeting, display an object for illustrating a point in his speech only when he is speaking, provided that any signs, graphics, messages or other information displayed on the object is in compliance with the functions of the DC.

36. **Maintaining order**

The chairman of a meeting must maintain order of the meeting. Where a person attending or observing a meeting (including a DC member) acts in such a way as to disrupt the orderly conduct of business of the meeting, the chairman of the meeting may issue warnings to the person. The chairman of the meeting may order the person to leave the venue of the meeting if the person persists with such acts despite warnings.

37. **Access to minutes of meetings**

- (1) Minutes of meetings shall be uploaded to the website of the DC except for the closed-door sessions of meetings.
- (2) Audio records shall also be uploaded to the website of the DC except for the closed-door sessions of meetings.

VIII. ITEMS FOR DISCUSSION

38. **Items for discussion raised in writing**

- (1) Without prejudice to the functions of DCs under section 4A of the District Councils Ordinance, any member of the DC, committees, working groups and government departments who wishes to raise an item or present a paper on an item for discussion at a meeting is required to submit the paper with a notice in writing to the Secretary ten clear working days before the meeting. The chairman of the meeting may approve a shorter notice if he considers it appropriate.
- (2) The chairman of a meeting may approve the inclusion of an item in the agenda or adjustment of the order of business on the agenda at the commencement and in the course of the meeting.
- (3) Attendees shall not discuss any item that has not been or is not approved by the chairman of a meeting for inclusion in the agenda of the meeting.

39. **Items for discussion raised verbally**

A public officer may, with the permission of the chairman of a meeting, verbally raise a discussion item or present a paper for discussion at a meeting.

IX. STATEMENTS AND QUESTIONS

40. **Statements and questions**

The subject matter and content of a statement or question must not run contrary to the functions of the DC under section 4A of the District Councils Ordinance. The chairman of a meeting shall rule on the compliance. Where there is any dispute, the **DC Chairman** shall make the final decision.

41. **Statements or questions in writing**

Anyone who wishes to make a statement or ask a question at a meeting shall put it in writing and obtain prior approval from the chairman of the meeting. A question put to a public officer or any person invited to attend a meeting shall also be in writing.

42. **Time limit for submission**

Anyone who wishes to make a statement or ask a question at a meeting shall submit it to the Secretary ten clear working days before the meeting. The chairman of the meeting may approve a shorter notice if he considers it appropriate.

43. **Supplementary questions**

Not more than three supplementary questions relevant to the original question may be asked at a meeting unless agreed by the chairman of the meeting.

44. **Oral statements**

Anyone who wishes to make an oral statement at a meeting shall notify the Secretary at least two hours before the meeting and obtain approval from the chairman of the meeting. The oral statement shall not last more than five minutes.

45. **Appointing others to make a statement or ask a question on one's behalf**

Anyone who is unable to attend a meeting but wishes to make a statement or ask a question in his name may appoint in writing a DC member or co-opted member (if applicable) to do so on his behalf after obtaining the approval of the chairman of the meeting.

X. MOTION

46. **Motion in writing**

A motion shall be put in writing and shall be valid only if signed by the mover and at least one seconder. The signed paper shall be submitted to the Secretary ten clear working days before the forthcoming meeting. The chairman of the meeting may approve a shorter notice if he considers it appropriate.

47. **Content of motion**

The subject matter and content of a motion and the amendments to the motion must not run contrary to the functions of the DC under section 4A of the District Councils Ordinance. The chairman of the meeting shall rule on the compliance. Where there is any dispute, the **DC Chairman** shall make the final decision.

48. **Approval of motion**

The chairman of the meeting shall decide whether to approve the inclusion of a motion in the agenda. If so, the motion can be discussed at the meeting. Where there is any dispute, the **DC Chairman** shall make the final decision.

49. **Amendment to a motion before a meeting**

Where the inclusion of a motion in the agenda as a discussion item is approved, amendments to the motion may be moved except those put forward by the original mover.

50. **Approval for amendments to a motion**

Moving amendments to a motion must be approved by the chairman of a meeting. If there is more than one motion to move amendments, they should be dealt with in the order they have been moved. A motion to move amendments approved by the chairman of the meeting can be put to the meeting for voting. Where there is no approved motion to move amendments, the original motion shall be put to the vote.

51. **Moving a motion at meeting**

Where a motion is put by the mover and seconded by at least one seconder, the mover and the seconder(s) shall sign the motion paper and submit it to the chairman of the meeting through the Secretary. The chairman of the meeting shall decide whether the motion is to be discussed at the meeting. Where there is any dispute, the **DC Chairman** shall make the final decision.

52. **Proposing amendment to a motion at meeting**

The procedures of proposing an amendment to a motion at meeting and approving the amendment to the motion are the same as Orders 49 and 50.

53. **Voting against an original motion**

The chairman of a meeting shall determine whether the approved amendment to the original motion constitutes a direct negation of the original motion. If so, the chairman shall ask the meeting to vote against the original motion and prepare a new motion (at or after the meeting).

Where there is any dispute, the **DC Chairman** shall make the final decision.

54. **Withdrawing a motion**

A motion may be withdrawn at the request of the mover. The chairman of a meeting has the power to withdraw any motions.

55. **Appointing others to move a motion on one's behalf**

A mover who is unable to attend the meeting concerned may appoint in writing a DC member or co-opted member (if applicable) to move the motion on his behalf after obtaining the approval of the chairman of the meeting.

56. **Moving a motion to adjourn a motion debate or discussion of an item**

A motion to adjourn debate on a motion or discussion of an item by the meeting may be moved by the chairman of the meeting or a DC member or co-opted member (if applicable) who has not moved or seconded a motion on, or spoken on that item. If such a motion is defeated, a second motion for such adjournment may be moved in a similar manner after further discussion.

57. **Conclusions made by meetings**

- (1) Where a meeting has made a conclusion on a subject matter, no further discussion on the matter shall be proposed within six months unless with the consent of the chairman of the meeting.
- (2) The **DC Chairman** may forbid a committee or working group to discuss a subject matter on which a conclusion has been made within six months.

XI. VOTING

58. **Chairman to have a casting vote**

At a meeting, the chairman has an original vote and a casting vote if the votes are equal.

59. **Endorsement with an absolute majority of votes**

Any item which is raised at a meeting or by circulation of papers and is to be decided by ballot shall be endorsed by an absolute majority of votes cast by the chairman of the meeting (if he is voting), DC members and co-opted members (if applicable).

60. **Appointing others to vote on one's behalf**

A DC member or co-opted member (if applicable) who is unable to attend a meeting but wishes to vote may appoint in writing a DC member or co-opted member (if applicable) to do so on his behalf.

61. **Voting method**

If the chairman of the meeting considers that a motion or an item is to be decided by ballot, he shall determine according to the views of the majority of the attending DC members and co-opted members (if applicable), whether the voting should be taken by secret ballot or by a show of hands.

XII. HANDLING OF MATTERS BY CIRCULATION OF PAPERS

62. **Approval for circulation**

If an item calls for urgent advice of the DC, or if discussion of the item cannot be postponed until the next meeting, the Secretary shall consult the chairman of the meeting and, subject to his consent, circulate the papers seeking the views or endorsement of DC members and co-opted members (if applicable) within a specified period.

63. **Casting of votes**

A resolution sought to be passed by circulation of papers shall be passed only if an absolute majority of votes in favour of it is obtained in writing within a specified period.

XIII. ABSENCE FROM MEETINGS

64. **Application for absence from a meeting**

(1) Any member who cannot attend a meeting because of sickness, attendance at a meeting or an activity on behalf of the DC or other reasons considered reasonable by the meeting (e.g. confinement, assumption of paternal care, fulfilment of civic obligations required by the law, serious illness or injury, attendance at a meeting or an activity, etc. of the Legislative Council or an advisory body or organisation appointed by the State or the Government) is required to submit a written application to the Secretary by using the sample notification form for absence from meetings at Appendix 4 before the meeting. The Secretary shall inform the chairman of the meeting of the application.

App 4

(2) Where a written application for absence from a meeting is not submitted before the meeting due to exceptional circumstances, the meeting may, if it considers it reasonable and consents to it, allow

the concerned application to be submitted as soon as possible after the meeting.

- (3) A medical certificate shall be enclosed with the application for absence from a meeting on the grounds of sickness. Medical certificates not yet available at the time of application should be provided within two clear working days after the submission of the notification form.
- (4) The chairman of a meeting shall announce at the commencement of the meeting the applications for absence from the meeting received. The meeting shall decide whether consent should be given to the applications for absence.
- (5) The meeting shall only give consent to applications for absence filed on the grounds of sickness, attendance at a meeting or an activity on behalf of the DC, or other reasons considered reasonable by the meeting. Applications for absence submitted after the meeting shall not be accepted, except with the consent of the meeting under subsection (2).

65. Disqualified from holding office as a District Council member due to absence from District Council meetings

- (1) A DC member is disqualified from holding office as a member for the remainder of his term of office if he does not attend meetings of the DC for four consecutive months (disqualifying period) without obtaining the consent of the DC before the end of that period. (Section 26A(5) of the District Councils Ordinance)
- (2) The disqualifying period begins on the day next following the date of the meeting of the DC at which the member is first absent without consent. (Section 26A(6) of the District Councils Ordinance)
- (3) If during the disqualifying period no meetings are held or only one meeting is held, that period is extended to end immediately after the third consecutive meeting from which the member is absent. (Section 26A(7) of the District Councils Ordinance)
- (4) If a person's functions and duties as a DC member are suspended under section 72D(1)(c) of the District Councils Ordinance and the person is absent from a meeting of a DC during the suspension, the person is not to be regarded as being absent from that meeting for the purposes of section 26A(5) of the District Councils Ordinance. (Section 72D(5) of the District Councils Ordinance)

- (5) If a person's functions and duties as a DC member are suspended under section 79(2A) of the District Councils Ordinance and the person is absent from a meeting of a DC during the suspension, the person is not to be regarded as being absent from that meeting for the purposes of section 26A(5) of the District Councils Ordinance. (Section 79(2D) of the District Councils Ordinance)

XIV. ADMISSION OF THE PUBLIC TO MEETINGS

66. Open meetings

- (1) Unless the **DC Chairman** determines otherwise, any meeting of the DC or any part of such a meeting shall be open to the public (including media representatives).
- (2) Unless the chairman of a meeting of committee/working group on the advice of its members determines otherwise, or the **DC Chairman** determines otherwise, any meeting of the committee/working group or any part of such a meeting shall be open to the public (including media representatives). Where there is any dispute, the **DC Chairman** shall make the final decision.

67. Disclosure of contents of close-door meetings

The matters discussed at closed-door meetings of the DC or its committees/working groups may be disclosed to the public (including media representatives) by the **DC Chairman**, or the chairmen of the committees/working groups, or DC members or members of the committees/working groups, in accordance with the direction of the DC or its committees/working groups. In the event of disputes, the **DC Chairman** shall make the final decision.

Part D COMMITTEES AND WORKING GROUPS

XV. COMMITTEES

68. Appointment of committees

- (1) For the purpose of carrying out the functions of a DC, the **DC Chairman** must appoint committees. (Section 71(1) of the District Councils Ordinance)
- (2) A DC may delegate any of its functions to a committee. (Section 71(5) of the District Councils Ordinance)

69. **Specified committees**

- (1) The **DC Chairman** must appoint the following four specified committees to carry out the relevant functions of the DC:
 - (a) District Facilities and Works Committee;
 - (b) Food, Environment and Hygiene Committee;
 - (c) Community Involvement, Culture and Recreation Committee;
and
 - (d) Traffic and Transport Committee.
- (2) The **DC Chairman** may, having regard to the situation of the district, appoint not more than four other committees to carry out the relevant functions of the DC, with priority given to the following committees:
 - (a) Housing Committee;
 - (b) Social Welfare Committee;
 - (c) Development Planning Committee; and
 - (d) Youth Committee.
- (3) The **DC Chairman** must announce the committees to be established, their terms of reference and tenure of office.

70. **Number of committees to be joined by District Council members**

Each DC member shall join at least three committees/working groups of the DC (Orders 69(1) to (2)) or at least half of the total number of such committees/working groups, whichever is less.

71. **Appointment of chairmen of committees**

- (1) The **DC Chairman** is to appoint a member of a committee who is also a member of the DC, as the chairman of the committee. (Section 71(3) of the District Councils Ordinance)
- (2) The appointment (including re-appointment, continued appointment and cessation of appointment) of the chairman of a committee and his tenure of office shall be determined by the **DC Chairman**.

72. **Appointment of vice chairmen of committees**

- (1) The **DC Chairman** may appoint a member of a committee who is also a member of the DC, as the vice chairman of the committee.

- (2) The appointment (including re-appointment, continued appointment and cessation of appointment) of the vice chairman of a committee and his tenure of office shall be determined by the **DC Chairman**.

73. **Announcement of memberships of committees**

The **DC Chairman** shall announce the appointment of the chairman, vice chairman (if any) and members of a committee.

74. **Resignation of District Council members from the office of chairmen or vice chairmen of committees**

- (1) Any DC member who wishes to resign from the office of chairman or vice chairman of a committee shall give a written notice of resignation signed by himself to the **DC Chairman**, otherwise the resignation shall not be effective. A notice of resignation takes effect on the day on which the notice is received by the **DC Chairman**; or if a later date is specified in the notice, on that later day.
- (2) If a DC member holding office as the chairman or vice chairman of a committee dies, resigns or ceases to be a DC member, the office of the chairman or vice chairman of the committee, as the case may be, becomes vacant. The **DC Chairman** may fill the vacancy in accordance with Order 71 or 72.

75. **Appointment of co-opted members**

The **DC Chairman** may appoint to a committee any person (co-opted member) who is not a DC member if the person satisfies the qualifications set out in section 20(1) of the District Councils Ordinance. (Section 71(2) of the District Councils Ordinance)

76. **Number of co-opted members**

- (1) The number of co-opted members appointed to each committee must not exceed half of the number of members of the committee.
- (2) The total number of co-opted members appointed to committees of a DC must not exceed the total number of DC members of the DC.
- (3) Each co-opted member shall only serve on a maximum of two committees.

77. **Disqualification of a co-opted member from being a member of a committee**

- (1) A co-opted member will automatically be disqualified from being the member of a committee for absence from three consecutive meetings of the committee without applying for absence from the meetings of the committee or obtaining the consent of the committee for his absence in accordance with Order 64.
- (2) A co-opted member will automatically be disqualified from being the member of a committee if he no longer satisfies the qualifications set out in section 20(1) of the District Councils Ordinance or becomes a DC member.

78. **Agendas and documents**

No agendas or relevant documents for meetings of committees shall run contrary to the functions of DCs under section 4A of the District Councils Ordinance. If the chairman of a meeting (including the chairman/vice-chairman/deputy chairman of the committee, as the case may be, see Order 79) is in doubt, he shall consult the **DC Chairman** and handle the matter as decided by the **DC Chairman**.

79. **Duties of the chairman of a committee**

The chairman of a committee shall preside at meetings of the committee. If the chairman of a committee is unable to preside at a committee meeting, the vice-chairman (if any) shall preside at the meeting. If the vice-chairman is unable to do so, the **DC Chairman** may appoint a DC member to be the deputy chairman of the committee to preside at the meeting on a temporary basis. The deputy chairman shall have all the powers conferred on the chairman by the Standing Orders for the purpose of presiding at meetings. If the **DC Chairman** does not appoint a deputy chairman, the meeting will be adjourned immediately.

80. **Quorum of a committee meeting**

- (1) The quorum at any meeting of a committee shall be half of the total number of members of the committee provided that DC members constitute half or more of the members attending the meeting.
- (2) The **DC Chairman** shall have the right to be in attendance at any meetings of a committee. His presence shall not be counted for the purpose of constituting a quorum.

- (3) A co-opted member may vote at a meeting of a committee and is to be counted for the purpose of constituting a quorum. (Section 71(4) of the District Councils Ordinance)

81. **Preparing the minutes of meetings**

The minutes of meetings of a committee shall record the discussion in a clear and concise manner as far as practicable and on an anonymous basis unless otherwise concluded by the committee in exceptional cases (for example, by motion or ballot). The minutes and audio record of meetings should be uploaded to the website of the DC except for the closed-door meetings.

82. **Work reports of committees**

- (1) Committees shall provide regular reports on their work to the DC at intervals determined by the **DC Chairman**.
- (2) Subject to Order 57(2), any matters discussed by a committee may be revived at meetings of the relevant committee with the consent of the chairman of the committee.

83. **Provisions applicable to committees**

In relation to the operation of meetings of committees, the procedures stipulated in Orders 13, 26(2), 27 to 31, 32(3), 33, 34(1)&(2) and 35 to 64 shall also apply to all committees unless

- (1) otherwise specified in this part; or
- (2) otherwise proposed by committees and approved by the **DC Chairman**.

XVI. WORKING GROUPS

84. **Appointment of working groups**

- (1) The **DC Chairman** may appoint “standing working groups” to assist in carrying out specified functions within their terms of reference.
- (2) The **DC Chairman** may appoint “non-standing working groups” to assist in delivering short-term tasks within their terms of reference.
- (3) The **DC Chairman** should determine the names and terms of reference of the working groups and determine their tenure of office, number, chairmanship and membership in accordance with Orders 85 to 88.

85. **Tenure of office of working groups**

- (1) The tenure of a “standing working group” shall be more than eight months.
- (2) The tenure of a “non-standing working group” shall not exceed eight months.

86. **Number of working groups**

- (1) The number of “standing working groups” appointed under the DC and each of its committee shall not exceed two in the same period of time.
- (2) The total number of “standing working groups” appointed under the DC and its committees shall not exceed two times the total number of committees.

87. **Appointment of chairmen of working groups**

- (1) The **DC Chairman** shall appoint a member of a working group who is also a member of the DC to be the chairman of the working group.
- (2) The appointment (including re-appointment, continued appointment or cessation of appointment) of the chairman of a working group and the tenure of appointment shall be determined by the **DC Chairman**.

88. **Number of co-opted members of working groups**

The number of co-opted members appointed to a “standing working group” or “non-standing working group” (if any) shall not exceed half of the number of members of the working group (i.e. at least half of the members shall be DC members). All of the members shall be DC members or co-opted members.

89. **Disqualification of a co-opted member from being a member of a working group**

A co-opted member will automatically be disqualified from being the member of a working group for absence from three consecutive meetings of the working group without applying for absence from the meetings of the working group or obtaining the consent of the working group for his absence in accordance with the procedures under Order 64.

90. **Quorum of a working group meeting**

- (1) The quorum at any meeting of a “standing working group” shall be not less than one-third of the total number of its members. At least half of the members attending the meeting shall be DC members.
- (2) Subject to the consent of the chairman of a working group, a person who is not a member of the working group may be invited to attend a meeting. His presence shall not be counted for the purpose of constituting a quorum.

91. **Preparing the minutes of meetings**

The minutes of meetings of a working group shall record the final conclusions of the discussion only. They shall be uploaded to the website of the DC except for the closed-door meetings.

92. **Work reports of working groups**

- (1) A working group shall provide work reports on their work to the DC or the committee concerned at intervals determined by the **DC Chairman** or the chairman of the committee, as the case may be. Any conclusion made by a working group shall not be regarded as the conclusion of the DC unless with the endorsement of the DC or the committee concerned.
- (2) Subject to Order 57(2), any matters discussed by a working group may be revived at meetings of the relevant working group with the consent of the chairman of working group.

93. **Provisions applicable to working groups**

In relation to the operation of meetings of working groups, the procedures stipulated in Orders 13, 26(2), 28 to 31, 32(3), 33, 34(1)&(2), 35 to 36, 37(1), 38 to 64, 73 to 74, 78 to 79 and 80(2)&(3) shall also apply to “standing working groups” unless

- (1) otherwise specified in this part; or
- (2) otherwise proposed by working groups and approved by the **DC Chairman**.

Part E OTHER MATTERS

94. Logo of District Council

The DC Logo is reserved for use by the DC and DC secretariat for carrying out official DC business. DC members should print the logo on publicity materials used to promote their work in carrying out DC business. Any DC member who wishes to adopt the DC Logo for other purposes must obtain prior approval from the **DC Chairman**. The Logo shall only be used for official purposes related to the business of the DC in order to protect the image of the DC. The DC may, by resolution, issue guidelines for the use of the DC Logo from time to time.

95. District Council members leaving Hong Kong

If a DC member leaves Hong Kong for more than 48 hours, he is required to give prior notification, in writing, to the DC Secretary.

Home Affairs Department

Performance Monitoring Guidelines for Members of the District Councils

(1 January 2024)

January 2024 version

Performance Monitoring Guidelines for Members of the District Councils

Introduction

1. Article 97 of the Basic Law stipulates that district organisations which are not organs of political power may be established in the Hong Kong Special Administrative Region (HKSAR), to be consulted by the government of the Region on district administration and other affairs, or to be responsible for providing services in such fields as culture, recreation and environmental sanitation. District Councils are organisations prescribed in Article 97 of the Basic Law.

2. Section 4A of the District Councils Ordinance (“the Ordinance”) (Cap. 547) sets out the functions of a District Council (“DC”) of a district as follows:
 - (a) to be consulted by the Government on the district affairs affecting the livelihood and living environment in the district and well-being of the people in the district;

 - (b) to collect the views of the people in the district in respect of an issue specified by the Chairman of the DC, and to submit to the Government a summary of the views collected and the suggested corresponding measures;

 - (c) to establish a regular communication mechanism with the people in the district, to meet with them and listen to their views regularly;

 - (d) to support, and assist in, the promotion of laws and Government policies in the district, and assist the Government in carrying out various consultation, publicity and liaison activities, such as district forum;

 - (e) to assist in the smooth delivery of cultural, recreational, environmental sanitary and other services relating to the interests of the people in the district under the coordination of the Government;

 - (f) to apply for funding for projects and activities relating to the functions of DCs such as —

- (i) projects and activities for the purpose of promotion of sports, arts and culture;
 - (ii) local events and celebration events; and
 - (iii) greening and volunteer work;
 - (g) to provide services for people in the district, such as consultation and case referral services;
 - (h) to cooperate with other consultation and service organisations in the district under the coordination of the Government to achieve the best results in serving the people in the district; and
 - (i) to undertake any other matters as commissioned by the Government from time to time.
3. Members of the DCs (“DC members”) shall duly discharge their duties during their terms of office¹. Their conduct should be in line with public expectations and be in keeping with the reputation of the DC and its members. The Government has established a performance monitoring mechanism for DC members so to enhance the accountability of DC members and increase transparency on their work.
 4. Part VIA of the Ordinance (sections 72A to 72E) provides for matters such as the investigation, sanctions and appeal against sanctions regarding misconduct of members. Under which, section 72B(1) empowers the Secretary for Home and Youth Affairs (“SHYA”) to issue guidelines (“The Guidelines”) for the purposes of this Part of the Ordinance. The matters that the Guidelines may specify include but are not limited to the standard of performance required of a member, what constitutes as misconduct for DC members and the procedures regarding investigation, sanctions and appeal.
 5. Pursuant to section 72B(1) of the Ordinance, SHYA has promulgated the Guidelines. The Guidelines are applicable to all DC members, including appointed members, ex-officio members, District Committees constituency members and District Council geographical constituencies members. The Guidelines are administrative in nature and may be amended or revoked as SHYA deems appropriate.

¹ Section 26A of the Ordinance provides for the disqualification from holding office as DC members.

Part 1: Conduct Expected of a DC Member

6. Regarding the conduct of a DC member, the basic and specific requirements and standards set out in the Guidelines are not exhaustive. DC members shall uphold the principle of “in line with public expectations and in keeping with the reputation of the DC and its members” when making judgements, and adhere to the letter and spirit of the Guidelines. The Guidelines will be amended from time to time according to the actual circumstances. SHYA is also empowered to conduct investigations and impose sanctions in accordance with the mechanism set out in Part 3 of the Guidelines against misconduct that is not specified in the Guidelines but deemed to have contravened the relevant principle.

I. Basic Requirements

7. DC members shall abide by the law and obey all the laws applied in Hong Kong. While there is not an exhaustive list of the laws to be obeyed, some provisions are set out below for reference:
 - (1) Any illegal act will incur sanctions or penalties prescribed in the relevant legislations. In addition, section 26A(1)(d) of the Ordinance stipulates that a DC member is disqualified from office if the member is convicted, in Hong Kong or any other place, of an offence for which the person has been sentenced to imprisonment, whether suspended or not, for a term exceeding three months without the option of a fine; of having engaged in corrupt or illegal conduct under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap.554); of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201)²; or of any offence prescribed by section 86A, section 7 of Schedule 4A or regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).
 - (2) Section 26A(2) of the Ordinance also stipulates that a DC member is disqualified from office if the member is in breach of an oath taken under section 19A of the Oaths and Declarations Ordinance (Cap. 11) or fails to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the HKSAR of the People’s Republic of China.

² Under the Prevention of Bribery Ordinance (“POBO”) (Cap. 201), DCs are public bodies and DC members are public servants. Therefore, DC members are bound by the POBO (including but not limited to section 4 in relation to the acceptance of advantages by public servants).

8. **A DC member shall at all times conduct oneself in a manner which is in keeping with the reputation of the DC and its members and in line with public expectations.** A DC member shall not at any time or in any respect do anything which may compromise or impair his integrity, impartiality, objectivity or his ability to perform his duties, or bring the DC into disrepute. A DC member shall conduct himself in such a way as not to place himself in a position which may be contrary to the general standard of conduct expected of a DC member. A DC member shall use appropriate language and not use offensive or insulting language, especially when addressing attendees, including DC members and public officers, at meetings. When deciding whether to engage in any activities, a DC member shall give due consideration as to whether the nature and contents of such activities might be regarded as not in keeping with the position or reputation of a DC member and thereby bringing the DC into disrepute.
9. A DC member shall **fulfil his responsibilities and act in accordance with the functions of a DC under section 4A of the Ordinance.**
10. A DC member shall **comply with the Guidelines** and the standing orders made by a DC Chairman under section 68(1) of the Ordinance for regulating the procedure of a DC and its committees.
11. A DC member shall **execute and implement the requirements of the Guidelines and the tasks and work indicators assigned** by the DC Chairman.

II. Specific Standards

Matters relating to Advantages, Entertainment or Confidential Information

12. A DC member shall **declare interests** in accordance with the following requirements:
 - (1) A member shall furnish the DC Secretary with particulars of his registrable interests³ within one month after the commencement of each term by using the form provided by the DC Secretary (Sample of the Registration Form is in Annex II).
 - (2) A new DC member shall furnish the DC Secretary with particulars of his

³ Details of registrable interests are set out in Annex I.

registrable interests within one month after the date of his becoming a new member to fill a vacant seat by using the form provided by the DC Secretary (Sample of the Registration Form is in Annex II).

- (3) A member shall furnish the DC Secretary with particulars of any change in such registrable interests within 14 clear working days of any such change by using the form provided by the DC Secretary (Sample of the Registration Form is in Annex II).

13. A DC member shall comply with the following requirements on **acceptance of advantages**:

- (1) An advantage presented to a DC member by virtue of his official position or on an occasion attended in the member's official capacity is regarded as an advantage to the DC.
- (2) A DC member shall as far as possible decline such gifts or souvenirs. Where this cannot be done owing to protocol reasons or the need to avoid causing offence or embarrassment, he should take them back to the DC Secretariat and follow the guidelines set out below for the disposal of gifts/souvenirs received:
 - (i) If the gift/souvenir is of perishable nature (e.g. food or drink), it may be donated to a charitable organisation or, when this is not practicable, shared among DC members, participants of the activity concerned or staff of the DC Secretariat.
 - (ii) If the gift/souvenir is a useful item, it shall be donated to a charitable organisation.
 - (iii) If the gift/souvenir is suitable for display (e.g. a painting or vase), it may be displayed at an appropriate location of the DC member's office, or given to the DC Secretary for display at an appropriate location of the DC conference room or office.
 - (iv) If the gift/souvenir is of a value higher than HK\$500, it shall be donated as a prize in functions organised by the DC.

- (v) If the gift/souvenir is a personal item of a value not higher than HK\$1,000 (e.g. a plaque or pen inscribed with the name of the recipient), it may be retained by the DC member.
 - (vi) If the gift/souvenir is distributed to all participants in public activities (e.g. a ball pen, file folder or key ring), it may be retained by the DC member.
 - (vii) Any gift/souvenir of a value higher than HK\$1,000 shall be returned to the offeror.
- (3) If the acceptance of an advantage by a DC member in his private capacity could affect his objectivity, or induce him to act against the DC's interests, or lead to questions or complaints of bias or impropriety, the member shall decline the advantage. A DC member may consider accepting an advantage only if the acceptance will not affect the performance of his duties as a DC member; the member will not feel obliged to reciprocate the advantage from the offeror by returning a favour connected with any business dealings; and the member is able to openly discuss the acceptance without reservation.
- (4) A DC member shall not accept any luxurious, overly generous or frequent entertainment from any person or organisation in order to avoid embarrassment or loss of objectivity when he considers or gives his views on matters concerning that person or organisation. Under the Prevention of Bribery Ordinance, entertainment means the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with such provisions.
14. A DC member shall not misuse his capacity as such and shall comply with the following requirements:
- (1) A DC member shall not misuse his capacity as such to gain benefit for himself, or render favour to any person or organisation; shall not use the confidential or privileged information obtained in his capacity as such to gain benefit for himself, or render favour to any person or organisation; shall acquire confidential or privileged information only in respect of matters of public interest and shall not acquire such information for

private or personal interests; and shall not disclose such confidential or privileged information and therefore undermine the interests of the DC.

- (2) DC member shall not attend a meeting of the DC or its committees for or on behalf of any party in a professional capacity, in a capacity for which he is to receive a fee or reward, or in the capacity of being employed by that party.
- (3) A DC member shall adopt the principles of openness and fairness in the procurement of goods and services as well as in the recruitment of staff, and shall not use the various allowances for a member and/or his ward office(s) for purposes other than those connected with the business of the DC.

Attendance at DC Meetings

15. A DC member shall attend the meetings of the DC. The annual attendance rate of a member at meetings of the DC or its committees/working groups shall not be lower than 80%. A DC member is obliged to attend meetings punctually and avoid leaving while the meeting is being conducted. Details of members' attendance will be made available for public inspection. In calculating the attendance rates of DC members for monitoring their performance, where the DC member is absent with legitimate reason and approved by the DC, the meeting that the DC member is absent will not be counted.
16. If a DC member cannot attend a meeting of the DC because of official business, health or other reasons, he is required to submit an application to the DC Secretariat before the meeting. The DC shall first process applications for absence at the commencement of the meeting, and shall only give consent to applications filed on the grounds of sickness, attendance at another meeting or an activity on behalf of the DC, or other legitimate reasons⁴ recognised by the DC. Pursuant to section 26A(5) of the Ordinance, a member is disqualified from holding office as a member for the remainder of his term of office if he does not attend meetings of the DC for four consecutive months (**disqualifying period**)⁵

⁴ For example, maternity, paternity, fulfilling civic responsibilities required by the law, being seriously ill or injured, attending meetings/activities held by the Legislative Council or advisory bodies/organisations appointed by the country/the Government, etc.

⁵ The disqualifying period begins on the day following the date of the DC meeting from which the member is first absent without obtaining consent. If no meeting or only one meeting is held during the disqualifying

without obtaining the consent of the DC during the period.

Work Reports

17. A DC member is required to submit a work report to the DC Chairman every year, elaborating on the major work done during the year. The work report shall be completed within two months after the end of the reporting period and be kept with the DC Secretariat for public inspection. The work report should cover the following:

- (1) tasks and work indicators assigned to the member and the work progress in the reporting period, so as to increase the transparency on his work;
- (2) the number of public views or enquiries received (in any form such as interviews, telephone calls, e-mails and letters) and the follow-up status;
- (3) the number and types of cases handled or referred;
- (4) the district issues of his concern and actions taken (e.g. providing advice to the Government, conducting site visits and holding district forums);
- (5) the community involvement activities he assisted in organising; and
- (6) other information in relation to the advisory and service functions of the DC.

Other Work Indicators and Requirements

18. Unless with the permission of the DC Chairmen (to do otherwise), DC members shall:

- (1) participate in the Meet-the-Public Scheme (held weekly) and be on duty at the DC offices according to the rosters agreed by DC Chairmen. A DC member may swap his duty days with other DC members under the co-ordination of the DC Secretariat as necessary;

period, that period will be extended to end immediately after the 3rd consecutive meeting from which the member is absent.

- (2) participate actively in district activities, including participation in person in not less than six activities of any form organised or co-organised by the respective District Offices each year. DC members shall set out in their annual work reports the activities that they have attended;
 - (3) perform the tasks and meet the work objectives related to the functions of DCs as assigned by DC Chairmen, such as facilitating the arrangement of and attending district forums on specific issues, attending residents' meetings and collecting residents' views by other means, and report to DC Chairmen;
 - (4) establish at least one ward office (including joint office(s) with other DC members) within three months after assuming office. Unless agreed by DC Chairmen, the operating hours of the ward offices shall not be less than 40 hours per week, with at least four hours falling on weekday evenings, weekends and public holidays; and
 - (5) join at least three DC committees/working groups or at least half of the total number of such committees/working groups, whichever is less.
19. Regardless of whether a DC member is the subject of investigation of the Supervisory Committee mentioned in Part 3 below, he shall comply with the Committee's request for submission of written information and/or attendance at its meetings to provide information.

Part 2: Behaviour that may Constitute Misconduct

20. This part sets out the behaviour that may constitute misconduct. A DC member who commits any of the following misconduct which is substantiated through the applicable investigation procedure in Part 3 below may incur sanctions:
- (1) failing to perform the tasks assigned by the DC Chairman and achieve the work indicators set out in paragraph 18 of the Guidelines without reasonable excuses (e.g. failing to set up ward office or meet the operating office hours required, failing to submit work reports to the DC Chairman in a timely manner, failing to meet performance targets in general and carrying out work against the functions of DCs);

- (2) absence from meetings twice or more per year without reasonable excuses (even if the criteria for disqualification of DC members under the Ordinance, i.e. absence from meetings for four consecutive months, is not met);
- (3) gross misconduct (e.g. engaging in misconduct or making improper remarks, breach of integrity, stirring up social conflicts or engaging in behaviour that falls short of the conduct expected of a DC member);
- (4) violating the laws applied in Hong Kong, and being convicted by a court and sentenced to imprisonment, including suspended sentence (even if the penalty does not meet the criteria for disqualification of DC members under the Ordinance) (Example (1): A DC member who gave false information in order to obtain money by deception is sentenced to imprisonment for less than three months, suspended for two years, and the payment of a fine; Example (2): A DC member convicted of unlawful assembly is sentenced to imprisonment for three months. The penalties in the two examples, while not meeting the disqualification criteria under the Ordinance, may constitute grounds for investigation and lead to sanctions);
- (5) abusing the resources of DCs or the identity of a DC member for personal gains, engaging in commercial activities or conducting publicity that is inconsistent with the functions of DCs (e.g. it is improper for a DC member to participate in a commercial activity which may give rise to a conflict of interest with his official duties, irrespective of whether an endorsement fee is received);
- (6) obstructing other DC members or public officers from attending or leaving meetings, government offices and other venues (e.g. surrounding other DC members or public officers, preventing them from attending or leaving meetings; entering District Offices without permission, disrupting order and causing chaos);
- (7) making insulting remarks towards or causing nuisance to attendees, including DC members and public officers, at meetings;

- (8) disrupting the order of meetings (e.g. throwing objects at meetings, disrupting the order of meetings and causing chaos; using loudspeakers or shouting or projecting images without permission to disturb attendees and disrupt meetings);
- (9) using foul language at meetings and failing to rectify the behaviour despite caution or warnings;
- (10) disobeying the standing orders for meetings (e.g. speaking or interrupting without the Chairman's consent, digressing, repeating, filming or conducting live broadcasts at meetings without permission) and failing to rectify the behaviour despite advice or warnings; and
- (11) failing to make the necessary declaration of interests in accordance with the standing orders for meetings.

Part 3: Investigation Procedure and Sanctions

21. This part sets out the investigation and sanction mechanism for misconduct.

I. Supervisory Committee

22. In accordance with section 72C of the Ordinance, an investigation into the alleged misconduct of a DC member may be initiated in the following circumstances: (1) the DC Chairman has obtained the joint signatures of not less than three DC members of the district; or (2) a motion moved by a DC member at a DC meeting is passed by more than half of the members present at the meeting by voting. The investigation will be conducted by the Supervisory Committee ("the Committee") appointed by SHYA.
23. The Committee is not a standing committee. Upon the investigation being initiated per paragraph 22 above, SHYA shall appoint five impartial members to the Committee, consisting of one independent person (i.e. a person who is not a member of any DCs) and four DC members from any DCs other than the DC concerned.
24. The Committee is responsible for establishing whether the facts on which the allegation in the joint submission or motion is based are true, and providing its

opinion on whether the established facts constitute grounds for imposing a sanction on the member concerned. The Committee will handle the case in a stringent, fair, just, impartial, independent and objective manner in accordance with the established mechanism and procedure.

II. Investigation Procedure

25. The Committee will notify the DC member concerned in writing of the pending investigation on his case. During the investigation, the Committee may invite the DC member concerned or any person it considers appropriate to provide information in writing and/or to attend the Committee's meeting(s) to provide information. The meeting(s) of the Committee (if any) shall be held closed-door and the DC member concerned may be accompanied by a maximum of three persons (who may include legal adviser(s)) ["the accompanying person(s)"] when attending the meeting(s) for giving assistance or advice. The accompanying person(s) attending the meeting(s) is/are not allowed to address the Committee. The DC member concerned must answer questions, give explanations or provide information personally. The Committee may also gather or cause to be gathered relevant information from any other sources it deems appropriate, and accept and take into account such information without being bound by any rules of evidence.
26. In considering whether to recommend a sanction or what sanction to recommend, the Committee may take into account, among other things, whether there is evidence showing the misconduct of the DC member concerned, the nature and severity of the misconduct, the frequency and duration of the misconduct, the impact of the misconduct, aggravating or mitigating factors, and the sanction imposed in similar precedents (if any).
27. If the Committee considers that the allegation in the joint submission or motion is true and prima facie constitutes grounds for imposing a sanction, notice will be given to the relevant DC member, setting out the information available to the Committee, the Committee's views on the case and the action deemed appropriate, including issuing a letter of persuasion or imposing any of the following sanctions:
 - (1) warning;
 - (2) fine; and
 - (3) suspension of the member's functions and duties as a member, and deprivation of the member's remuneration, including allowances and end-

of-service gratuity, for the period of suspension on a pro-rata basis.

28. The notice will also invite the DC member to give explanations for the matters concerned. The DC member may provide a written representation to the Committee within seven working days after the date of receiving the notice. The DC member may also set out mitigating factors with supporting evidence in the written representation if the imposition of sanctions is eventually recommended by the Committee.
29. The Committee will complete an investigation report based on the evidence and information available and the written representation of the DC member (if any) within the deadline specified in the notice. If the DC member fails to provide any representation before the expiry of the time limit specified in the notice, the Committee will complete the investigation report based on the evidence and information already available.
30. The Committee shall submit a written report to SHYA and recommend whether sanctions are required and the appropriate sanctions to be imposed upon completion of the investigation. The relevant parts of the draft report shall be forwarded to the DC member subject to the DC member signing a confidentiality undertaking referred to in paragraph 44 below. The DC member may make a written response to the Committee within seven working days after the date of receiving the relevant parts of the draft report. The Committee may finalise its report after considering the written response of the DC member (if any). Upon submitting the report to SHYA, the Committee will make available a copy of the report to the DC member.
31. If, in the course of considering or investigating a case, the Committee has come to the knowledge that the case is or the matters related to it are being investigated by a law enforcement agency or related to a case pending in a court of law, the Committee may suspend its consideration or investigation of the case until the conclusion of the investigation by the law enforcement agency or the legal proceedings.

III. Sanctions

32. In accordance with section 72D of the Ordinance, SHYA will make a decision after considering the investigation report submitted by the Committee, and may

invite the DC member concerned to submit additional information in writing if necessary. Before making a decision, SHYA may, taking into account the investigation results stated in the report, written response and additional information submitted in writing by the DC member concerned (if any) and the recommendations of the Committee, determine whether sanctions should be imposed on the DC member. If affirmative, SHYA may, according to the severity of the case, issue a letter of persuasion to or impose sanctions on the DC member concerned.

33. SHYA will inform the DC member concerned of the decision made in writing and impose the relevant sanctions. The decision notice will set out: (i) the reasons for the decision made; (ii) (in case a sanction under section 72D(1)(c) of the Ordinance is imposed) the duration of sanction and conditions to be observed during the sanction period (e.g. limiting the operation of ward office(s)); and (iii) the fine imposed or the remuneration deducted on a pro-rata basis (including allowances and end-of-service gratuity) for the period of suspension (in case a sanction under section 72D(1)(b) or (c) of the Ordinance is imposed). The decision made and the sanction imposed will be made available to the public on the websites of the DC concerned or by means of a press release.
34. **Persuasion** is the most lenient way of handling, which is generally applicable to individual minor misconduct. It will be issued in writing, providing a brief account of the incident, details of the misconduct committed, and suggestions about improvement. A **warning** is a more serious sanction, which is generally applicable to repeated minor misconduct or commitment of minor misconduct other than the one for which the DC member concerned first received a persuasion. A warning is similar to persuasion, but with sterner wording, emphasising the impact of the DC member's misconduct on the DC and the community, and pointing out that repeated misconduct may lead to heavier sanctions such as fine or suspension of duties.
35. Consideration will be given to imposing fine for more serious misconduct or repeated minor misconduct. If satisfied that the DC member concerned has committed misconduct, SHYA may order him to pay a **fine**. In determining the amount of the fine, SHYA will take into account all the merits of the case, including the severity of the misconduct committed and the situation involved. The fine will be deducted from the honourarium to which the DC member concerned is entitled, and capped at an amount equivalent to two weeks'

remuneration of the DC member concerned, which will be calculated according to the following formula (on a 30-calendar-day basis):

$$= \text{Prevailing monthly honourarium of the DC member concerned} \div 30 \times 14$$

(Number rounded to the nearest hundred)

36. **Suspension of duties** is the most severe form of sanction. It is applicable to serious misconduct or repeated misconduct that is relatively serious. If a DC member is suspended from his duties, the duration of the suspension (including the day of suspension) -
- (a) is two weeks on the first occasion;
 - (b) is four weeks on the second occasion during the same term of the DC; and
 - (c) is twice that of the previous occasion on any subsequent occasion during the same term of the DC, provided that such duration shall not extend beyond the end date of the term concerned.
37. The DC member suspended from duties shall not be entitled to receive any remuneration or allowances (including end-of-service gratuity) for the period of suspension, but shall be entitled to be reimbursed the operating expenses incurred (e.g. office rentals and staff salary) during the period.
38. Pursuant to section 72D(3) of the Ordinance, if a person's functions and duties as a DC member are suspended, during the period of suspension, the person (i) must not act as a DC member; (ii) must not do anything for the purpose of carrying into effect the provisions of the Ordinance or any other enactment conferring functions on a DC; (iii) must not enjoy any corresponding entitlement; and (iv) is not to be regarded as a DC member for the purposes of section 86 of the Ordinance, i.e. the legal protection of a DC member for the purpose of carrying into effect the provisions of the Ordinance or any other enactment conferring functions on a DC will be suspended. In accordance with this section, during the period of suspension, the person must not act as a DC member in any activities, including but not limited to attending meetings of the DC and its committees or working groups; meeting the public; participating in consultation, publicity and liaison activities such as district events and district forums; applying for funds for programmes and activities; and providing district service for the local community.

39. Unless otherwise specified by SHYA, during the period that a DC member is suspended from his functions and duties, his ward office(s) can only operate on a limited basis to carry out activities such as notifying relevant parties and groups that the DC member is unable to attend any meetings or activities during the period of suspension, and allowing the local community to obtain information, forms or supplies designated to be distributed at DC members' ward offices. However, staff of the DC member's ward office(s) are not allowed to act on behalf of the DC member to perform duties such as issuing letters or referring complaints. Notices must be posted on the office doors of ward office(s) to notify the public of the period of suspension, and that the DC member cannot serve the public as a DC member during the period. If a DC member still acts as a DC member or contravenes the suspension from functions and duties during the period of suspension; or staff of the DC member's ward office still act on his behalf and in his name as a DC member during the period, the operating expenses incurred by his acting as a DC member/his staff's acting on his behalf and in his name as a DC member or contravening the suspension from functions and duties (e.g. staff salary of the ward office(s) concerned and related expenses on printing and publicity items) may not be reimbursed under the Guidelines on the Remuneration Package for Members of the District Councils of the HKSAR.

IV. Appeal Mechanism

40. If the DC member concerned is aggrieved by the decision of SHYA made under section 72D of the Ordinance, he may make an appeal to the Chief Secretary for Administration ("CS") in writing within 14 days after the issue date of the decision notice. **CS does not have the legal authority to deal with late notices of appeal.**
41. The appellant shall state in writing how he considered the decision and/or the relevant sanctions inappropriate, with justifications, and give explanations for the matters concerned.
42. When an appeal is received, CS will make a decision within three months as far as practicable. If a decision cannot be made within the time limit, a written notice will be issued to the DC member stating that the appeal is being considered and the decision will be delivered as soon as possible. In accordance with section 72E(3) of the Ordinance, the appeal does not suspend the decision unless CS decides otherwise. In accordance with section 72E(4) of the Ordinance, CS

may affirm, vary or reverse the decision.

43. The appellant may withdraw his appeal by sending a written notice to CS. Once CS has received the written notice of withdrawal, the appellant's appeal is deemed dismissed.

V. Confidentiality Requirements

44. All members of the Committee and other persons concerned must each sign a confidentiality undertaking that they will not publish, without the prior written authorisation of SHYA, any matters relating to the Committee, including evidence taken before the Committee, documents produced to it, its deliberations and decisions, except for matters that have been communicated publicly by the Government.
45. Before the Committee forwards the relevant parts of its draft report to the DC member concerned in accordance with paragraph 30, the latter must sign a confidentiality undertaking that he will not publish, without the prior written authorisation of SHYA, any matters relating to the draft and finalised report, except for matters that have been communicated publicly by the Government. If the DC member concerned breaches the undertaking, SHYA may consider a public reprimand of him.

Ends

“Registrable interests” include:

- (a) remunerated proprietorships, partnerships or directorships of public or private companies, including all proprietorships, partnerships or directorships for which a fee, honorarium, allowance or other material benefit is payable;
- (b) remunerated work, including all employments, offices, trades or professions for which a fee, honorarium, allowance or other material benefit is payable;
- (c) the names of companies or other bodies registered in Hong Kong in which a member, either himself or herself or with or on behalf of his or her spouse or minor children, has a beneficial interest in shareholdings of a number greater than one-hundredth of the total number of issued shares;
- (d) financial sponsorships received by a member in his or her capacity as a District Council (DC) member, or by his or her spouse from any person or organisation (stating whether any such sponsorships include any payment or any material benefit or advantage to the member or his or her spouse, whether direct or indirect);
- (e) visits or travels outside Hong Kong made by a member in his or her capacity as a DC member, or by his or her spouse relating to or arising out of his or her DC membership where the cost of any such visit or travel has not been wholly borne by the member or public funds (stating whether any such sponsorships include any payment or any material benefit or advantage to the member or his or her spouse, whether direct or indirect);
- (f) land or property held in Hong Kong directly or indirectly;
- (g) the names of clients (to whom a DC member renders personal services arising out of or relating in any manner to his or her DC membership, and hence from whom the member receives a fee, honorarium, allowance or other material benefit); and
- (h) other declarable interests.

**DISTRICT COUNCIL OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION**

Registration Form on Personal Interests

(Applicable to District Council members and Co-opted members)

(Sample)

Please read the guidelines below before completing this registration form.

Guidelines on Registration of Personal Interests

- (1) Orders 14 to 18 of the District Council Standing Orders provide for the registration of personal interests of District Council (DC) members and co-opted members. DC members and co-opted members shall read the relevant provisions carefully.
- (2) Order 18 provides for the maintenance of a register of personal interests of DC members and co-opted members (the register) by the Secretary of the DC (DC Secretary).
- (3) The main purpose of the register is to allow DC members and co-opted members to register any pecuniary interests or other material benefits they receive which might reasonably be perceived by others to influence their actions, speeches or votes in the DC, or actions taken in their capacity as a DC member or co-opted member. DC members and co-opted members are required to bear this general purpose in mind when determining what interests should be properly declared.
- (4) DC members and co-opted members are not required to disclose the amount of any remuneration or benefit they may have, or the interests of spouses or children, except in certain circumstances relating to material benefits and shareholdings.
- (5) When reporting particulars of registrable interests under Order 16, DC members and co-opted members are required to complete and sign the registration form and then submit the entire set of the form to the DC Secretary. DC members and co-opted members may provide information on extra sheets of paper if they find the space in this form insufficient. However, when reporting particulars of any change in registrable interests in accordance with Order 17, DC members and co-opted members may simply complete and sign the relevant part(s) of the registration form and then submit it (them) to the DC Secretary, instead of submitting the entire set of the form.
- (6) Under Order 17, registration forms completed by DC members and co-opted members shall be available for public inspection. Any person may make copies of the forms at the secretariat of the DC upon payment of a fee. The registration form will also be uploaded to the website of the DC for public viewing.

- (7) DC members and co-opted members should comply with the requirements for registration of personal interests. Registering the interests as required should be regarded as a reasonable minimum requirement. Hence, it is up to DC members and co-opted members to disclose interests beyond those specified as they deem fit.
- (8) A DC member or co-opted member is obliged to provide the required information and be responsible for what is recorded about himself in the register, as each DC member or co-opted member is answerable to his fellow members and the public.
- (9) DC members and co-opted members are not required to register benefits known to be made available without discrimination to all DC members and co-opted members, such as the honorarium and operating expenses reimbursement.
- (10) The publication of the registration of the interests provided by DC members and co-opted members does not imply any approval or endorsement of the contents thereof by the Government of the Hong Kong Special Administrative Region (the Government), its officers or the DC; nor does the Government, its officers or the DC assume any responsibility for such contents.

For the provision of personal data in this registration form, the following points should be noted:

(a) **Purpose of Collection**

The personal data and other related information provided in this registration form is to allow DC members and co-opted members to register any pecuniary interests or other material benefits they receive, convincing the public that DC members and co-opted members are of good character and that their personal interests will not affect the discharge of DC functions and duties and their conduct as DC members and co-opted members.

(b) **Classes of Transferees**

The personal data you provided in this form is available for public inspection and may be disclosed to other parties for the purposes mentioned in paragraph (a).

(c) **Access to Personal Data**

Any persons have the right to request access to, and to request the correction of, the personal data which they have provided in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **Enquiries**

Enquiries regarding the personal data collected by means of this registration form, including access to and the making of corrections, should be addressed to the secretariat of the DC concerned.

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 1 – Remunerated Proprietorships, Partnerships and Directorships

1(1). Do you have any remunerated proprietorships, partnerships and directorships of companies, public or private, including all proprietorships, partnerships and directorships for which a fee, honorarium, allowance or other material benefit is payable?

Yes No (Please ✓ where appropriate)

If yes, please list the name and nature of business of the company in each case in the table below.

Notes: (a) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium * of a DC member (* excluding various allowances/expenses reimbursement covering expenses incurred by his work as a DC member and medical allowances); or (ii) one-off material benefits exceeding \$2,000 in value.

(b) Remunerated proprietorships, partnerships and directorships of both local and overseas companies are registrable.

(c) Remunerated proprietorships, partnerships and directorships through corporate proprietors, partners and directors are also registrable.

(d) Where you are a remunerated proprietor, partner or director of a company, all subsidiary or associated proprietorships, partnerships and directorships which you hold within the same group, whether remunerated or not, should also be registered.

(e) Holding company has the same meaning as in section 13 of the Companies Ordinance (Cap. 622) which specifies that –

“ (1) For the purposes of this Ordinance, a body corporate is a holding company of another body corporate if—

(a) it controls the composition of that other body corporate's board of directors;

(b) it controls more than half of the voting rights in that other body corporate; or

(c) it holds more than half of that other body corporate's issued share capital.

(2) For the purposes of this Ordinance, a body corporate is also a holding company of another body corporate if it is a holding company of a body corporate that is that other body corporate's holding company.”

By virtue of section 13(2) reproduced above, company A is a holding company of company C if company A is the holding company of company B which in turn is the holding company of company C. In other words, both companies A and B are holding companies of company C. The names of all holding companies of a company of which a member is a remunerated director should be registered.

Details

Name of company _____

- Nature of business of the company _____

- Capacity _____

(Please ✓ where appropriate)

Proprietor

Partner

Director

Others (please specify)

- Names of all holding companies, if any, of the company _____

(If you have more remunerated proprietorship, partnership and directorships to register, please use the additional sheet provided after this page.)

Signature: _____

Date: _____

Category 1 – Remunerated proprietorships, partnerships and directorships

1(1) (cont'd)

Name of District Council: _____ Name of DC member/
co-opted member: _____

Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	

(Please make a copy of this sheet if necessary, and sign on every such sheet.)

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 2 – Remunerated Employment, Offices, etc.

2(1). Are you receiving any remuneration from any remunerated work, including employments, offices, trades or professions for which a fee, honorarium, allowance or other material benefit is payable (apart from membership of the DC)?

Yes **No** *(Please ✓ where appropriate)*

If yes, please list the details of the employment, office, trade or profession in each case in the table below.

- Notes:**
- (a) An employment, office, trade or profession is “remunerated” where a fee, honorarium, allowance or other material benefit is payable.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (* excluding various allowances/expenses reimbursement covering expenses incurred by his work as a DC member and medical allowances); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) “Remunerated offices” include “remunerated” public offices.
 - (d) DC members and co-opted members who have paid posts as consultants or advisers should indicate the nature of the consultancy in the registration form, for example, “management consultant”, “legal adviser”, etc.

Details

Name of the remunerated employment, office, trade or profession	Nature of business of the company

(If you have more remunerated employment, office, trade or profession to register, please use the additional sheet provided after this page.)

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 3 – Shareholdings

3(1). Do you have (either yourself or with or on behalf of your spouse or minor children) beneficial interests in shares in any company registered in Hong Kong or other body of a number greater than 1% of the total number of issued shares of the company or body?

Yes **No** (Please ✓ where appropriate)

If yes, please list the details in each case in the table below.

- Notes:**
- (a) There is no need to register the size, or value of the shareholdings.
 - (b) “Shareholdings” is defined as personal shareholdings and does not include shareholdings held by a DC member/co-opted member in the capacity as a nominee shareholder.
 - (c) It is the obligation of a DC member/co-opted member to register interests which to his knowledge fall under this category.
 - (d) Shareholdings held by the spouse of a DC member/co-opted member are not registrable unless such holdings are known to the DC member/co-opted member, and are held by the DC member/co-opted member “with or on behalf of” his spouse. This guideline is also applicable to shareholdings in respect of the minor children of a DC member/co-opted member.

Details

Name of company	Nature of business of the company

(If you have more shares to register, please use the additional sheet provided after this page.)

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 4 – Financial Sponsorships

4. In your capacity as a DC member/co-opted member, have you or your spouse received any financial sponsorships from any person or organisation which in any way relate to you as a DC member/co-opted member (stating whether any such sponsorships include any payment or any material benefit or advantage to you or your spouse, whether direct or indirect)?

Yes No (Please ✓ where appropriate)

- Notes:**
- (a) A DC member/co-opted member is expected to make the necessary enquiries of his spouse in order to make a full and timely return on the registration of interests relating to financial sponsorships.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (*excluding various allowances/expenses reimbursements covering expenses incurred by his work as a DC member and medical allowance); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) Any material benefit or advantage received *gratis* or at a price below that generally available to members of the public.
 - (d) Where a company is named as sponsor, please indicate briefly the nature of its business.
 - (e) Regarding the financial sponsorships received from a political organisation(*) to which a DC member/co-opted member belongs, it will suffice if a DC member/co-opted member registers only financial sponsorships directly received from his political organisation. Such registrable interests include cash subsidy of HK\$5,000 or above each month. DC members/co-opted members having regard to their own knowledge of the circumstances shall consider whether acceptance of a particular financial sponsorship contravenes the provisions of the Prevention of Bribery Ordinance (Cap. 201).

* The definition of “political body” is the same as that in the Societies Ordinance (Cap. 151). The relevant definition in the Societies Ordinance is reproduced as follows:

“Political body” means:

- (i) a political party or an organisation that purports to be a political party; or
- (ii) an organisation whose principal function or main object is to promote or prepare a candidate for an election.

If yes, please give details.

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 5 – Overseas Visits

5. In your capacity as a DC member/co-opted member, have you or your spouse made any visits or travels outside Hong Kong relating to or arising out of your membership of the DC or its committees where the costs of any such visits or travels have not been wholly borne by yourself or public funds (stating whether any such sponsorships include any payment or any material benefit or advantage to you or your spouse, whether direct or indirect)?

Yes **No** (Please ✓ where appropriate)

If yes, please list the details in the table below.

- Notes:** (a) A DC member/co-opted member is expected to make the necessary enquiries of his spouse in order to make return on the registration of interests relating to overseas visits.
- (b) When registering visits or travels outside Hong Kong under this category, please provide relevant information of visits or travels about dates, countries or regions, purposes, names of the sponsors, reasons for participation and nature of the interest received (please specify whether the interest relates to the provision of passage, accommodation and/or subsistence allowance). An interest under this category shall be registered within 14 clear working days of the conclusion of the visit or travel.

Details

Name(s) of the sponsor(s)	
Date(s) of the visit	
Country(countries) or place(s) to visit	
Purpose of the visit	
Reasons for participation in the visit	
Nature of interest received (Please specify whether the interest relates to the provision of passage, accommodation, and/or subsistence allowance)	

Signature: _____

Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 6 – Land and Property

6. Do you directly or indirectly hold any land or property in Hong Kong?

Yes No (Please ✓ where appropriate)

- Notes:**
- (a) It is suffice to register the general nature of the land or property owned by a DC member/co-opted member. Details such as address are not required. Please write, for example, “own a commercial property in the Western Constituency of the Central and Western District”, “own a residential property in the Yau Tsim Mong South Constituency of the Yau Tsim Mong District” or “own an industrial property in the Tsing Yi Constituency of the Kwai Tsing District”.
 - (b) There is no need to register the only or principal residence in Hong Kong which a DC member/co-opted member owns and ordinarily lives in unless he also derives income from it.
 - (c) Land or property are registrable where a DC member/co-opted member has an autonomous right of disposition or has any pecuniary interests deriving from it. Registrable interests include land or property owned by the DC member/co-opted member in his own name, or held indirectly such as through a company or through another person. In the case of holding through a company, the interest is registrable where the DC member/co-opted member has control of the company or owns more than 50% of the shareholdings in it. In the case of holding through another person, the interest is registrable where the DC member/co-opted member may dispose of the land or property through that person or derive any pecuniary interests from it. Land or property held by a DC member/co-opted member as trustee and in which the DC member/co-opted member has no autonomous right of disposition (e.g. the DC member/co-opted member as a nominee, trustee or custodian) needs not be registered.

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 7 – Clients

7(1). Have you rendered any personal services which arise out of or are related in any manner to your membership of the DC/its committees to any clients, and hence from whom you receive a fee, honorarium, allowance or other material benefit?

Yes **No** (Please ✓ where appropriate)

If yes, please list the details in each case in the table below.

- Notes:**
- (a) Services in this context include those services rendered by a DC member/co-opted member personally or those, to his knowledge, rendered by an organisation of which the DC member/co-opted member is a partner, director, employee or office holder. A DC member/co-opted member shall make it clear to the clients that he must declare the names of the clients to the DC as stipulated in the District Council Standing Orders.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (*excluding various allowances/expenses reimbursements covering expenses incurred by his work as a DC member and medical allowance); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) Under this category of registrable interests, a DC member/co-opted member is obliged to register those interests to the best of his knowledge. However, it is not necessary for the DC member/co-opted member to find out the names of all the clients to whom his organisation renders remunerated services.
 - (d) In the registration of interests, where a company is named, a brief description of the nature of the company’s business should be given.
 - (e) On the registration of clients, the following are examples of registrable interests under this category which are provided merely for the purpose of illustration. Registrable interests are not confined to the professions cited in the following examples:
 - (i) An accountant firm of a DC member/co-opted member acts for a client in preparing tender documents for a project which is under deliberations by the DC or its committees.
 - (ii) A DC member/co-opted member is paid (e.g. by an organisation such as a public relations firm or an environmental group) to ensure that a particular point of view or issue is drawn to the attention of DC members/co-opted members. For example, the point of view may be related to an issue under debate by the DC or simply be a matter on which the organisation seeks to lobby DC members/co-opted members.

Details

Name of client	Nature of business of the client

(If you have more clients to register, please use the additional sheet provided after this page.)

Signature: _____

Date: _____

Name of District Council:

Name of DC member/
co-opted member:

Category 8 – Other declarable interests

8. If you have any relevant interests which you consider should be disclosed but which do not fall within the seven categories set out above, please give details below.

Other declarable interests include, but are not limited to, (i) membership (including president, chairperson, honorary president, honorary chairperson, etc.) of any organisations which may apply or have applied for funding from the DC; and (ii) any consultant, client or other important relationship(s) with the organisations which may apply or have applied for funding from the DC. (Optional for the DC Secretariat: Important relationship refers to the interest arising from such a relationship which in the eyes of the objective and reasonable general public may influence the judgement of the member concerned.)

Notes: (a) DC members/co-opted members are required to disclose pecuniary or other interests under Orders 19 and 22(1), which are reproduced below :

“In the event that...a DC member/co-opted member finds that he has any direct personal or pecuniary interests in a proposed discussion item on the meeting agenda, or finds that he has any pecuniary or other interests in matters on tender, quotation, etc. being dealt with in a discussion item or has any connection with the benefited party or potential benefited party, he should declare the interests in accordance with the requirements set out below in order that a decision on the appropriate course of action can be made.” (Standing Order 19).

“The DC member or co-opted member shall notify the Secretary before the meeting. The Secretary shall refer it to the chairman of the meeting, who shall then decide whether papers relevant to the item under consideration shall be sent to the DC member or co-opted member. Where a DC member or co-opted member, on receipt of a paper, finds that he has direct personal or pecuniary interests in the item under consideration, he shall immediately inform the Secretary and return the paper to the Secretary.” (Standing Order 22(1)).

Registration of interest is the additional requirement apart from the above Standing Orders and cannot replace the above requirements.

(b) DC members/co-opted members must also note the requirement under Order 22(2):

“The DC member/co-opted member shall declare his registrable interests to the committee/working group, as the case may be, prior to the discussion of the item.” (Standing Order 22(2))

Details

Attendance Register (Template)

District Council

(xx/xx/202x – xx/xx/202x)

XX District Council	Regular Meetings			Special Meetings		
	Total no. of meetings convened	No. of meetings attended	No. of absence which the meeting has given consent	Total no. of meetings convened	No. of meetings attended	No. of absence which the meeting has given consent
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

Remark: “N/A” (if any) indicates that DC has not convened special meetings.

Committees / Working Group

(xx/xx/202x – xx/xx/202x)

Committees / Working Group Meeting		XXX Committee or XXX Working Group					
Name of DC Member		Regular			Special		
		Total no. of meetings convened	No. of meetings attended	No. of absence which the meeting has given consent	Total no. of meetings convened	No. of meetings attended	No. of absence which the meeting has given consent
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
Name of Co-opted Member (if any)							
1.							
2.							

Remark 1: Cells shaded in grey (if any) indicate that the person is not a member of that committee/ working group.

Remark 2: "N/A" (if any) indicates that the committee/ working group has not convened meetings.

**DISTRICT COUNCIL OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION**

Registration Form on Personal Interests

(Applicable to District Council members and Co-opted members)

(Sample)

Please read the guidelines below before completing this registration form.

Guidelines on Registration of Personal Interests

- (1) Orders 14 to 18 of the District Council Standing Orders provide for the registration of personal interests of District Council (DC) members and co-opted members. DC members and co-opted members shall read the relevant provisions carefully.
- (2) Order 18 provides for the maintenance of a register of personal interests of DC members and co-opted members (the register) by the Secretary of the DC (DC Secretary).
- (3) The main purpose of the register is to allow DC members and co-opted members to register any pecuniary interests or other material benefits they receive which might reasonably be perceived by others to influence their actions, speeches or votes in the DC, or actions taken in their capacity as a DC member or co-opted member. DC members and co-opted members are required to bear this general purpose in mind when determining what interests should be properly declared.
- (4) DC members and co-opted members are not required to disclose the amount of any remuneration or benefit they may have, or the interests of spouses or children, except in certain circumstances relating to material benefits and shareholdings.
- (5) When reporting particulars of registrable interests under Order 16, DC members and co-opted members are required to complete and sign the registration form and then submit the entire set of the form to the DC Secretary. DC members and co-opted members may provide information on extra sheets of paper if they find the space in this form insufficient. However, when reporting particulars of any change in registrable interests in accordance with Order 17, DC members and co-opted members may simply complete and sign the relevant part(s) of the registration form and then submit it (them) to the DC Secretary, instead of submitting the entire set of the form.
- (6) Under Order 17, registration forms completed by DC members and co-opted members shall be available for public inspection. Any person may make copies of the forms at the secretariat of the DC upon payment of a fee. The registration form will also be uploaded to the website of the DC for public viewing.

- (7) DC members and co-opted members should comply with the requirements for registration of personal interests. Registering the interests as required should be regarded as a reasonable minimum requirement. Hence, it is up to DC members and co-opted members to disclose interests beyond those specified as they deem fit.
- (8) A DC member or co-opted member is obliged to provide the required information and be responsible for what is recorded about himself in the register, as each DC member or co-opted member is answerable to his fellow members and the public.
- (9) DC members and co-opted members are not required to register benefits known to be made available without discrimination to all DC members and co-opted members, such as the honorarium and operating expenses reimbursement.
- (10) The publication of the registration of the interests provided by DC members and co-opted members does not imply any approval or endorsement of the contents thereof by the Government of the Hong Kong Special Administrative Region (the Government), its officers or the DC; nor does the Government, its officers or the DC assume any responsibility for such contents.

For the provision of personal data in this registration form, the following points should be noted:

(a) **Purpose of Collection**

The personal data and other related information provided in this registration form is to allow DC members and co-opted members to register any pecuniary interests or other material benefits they receive, convincing the public that DC members and co-opted members are of good character and that their personal interests will not affect the discharge of DC functions and duties and their conduct as DC members and co-opted members.

(b) **Classes of Transferees**

The personal data you provided in this form is available for public inspection and may be disclosed to other parties for the purposes mentioned in paragraph (a).

(c) **Access to Personal Data**

Any persons have the right to request access to, and to request the correction of, the personal data which they have provided in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486).

(d) **Enquiries**

Enquiries regarding the personal data collected by means of this registration form, including access to and the making of corrections, should be addressed to the secretariat of the DC concerned.

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 1 – Remunerated Proprietorships, Partnerships and Directorships

1(1). Do you have any remunerated proprietorships, partnerships and directorships of companies, public or private, including all proprietorships, partnerships and directorships for which a fee, honorarium, allowance or other material benefit is payable?

Yes No (Please ✓ where appropriate)

If yes, please list the name and nature of business of the company in each case in the table below.

Notes: (a) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium * of a DC member (* excluding various allowances/expenses reimbursement covering expenses incurred by his work as a DC member and medical allowances); or (ii) one-off material benefits exceeding \$2,000 in value.

(b) Remunerated proprietorships, partnerships and directorships of both local and overseas companies are registrable.

(c) Remunerated proprietorships, partnerships and directorships through corporate proprietors, partners and directors are also registrable.

(d) Where you are a remunerated proprietor, partner or director of a company, all subsidiary or associated proprietorships, partnerships and directorships which you hold within the same group, whether remunerated or not, should also be registered.

(e) Holding company has the same meaning as in section 13 of the Companies Ordinance (Cap. 622) which specifies that –

“(1) For the purposes of this Ordinance, a body corporate is a holding company of another body corporate if—

(a) it controls the composition of that other body corporate's board of directors;

(b) it controls more than half of the voting rights in that other body corporate; or

(c) it holds more than half of that other body corporate's issued share capital.

(2) For the purposes of this Ordinance, a body corporate is also a holding company of another body corporate if it is a holding company of a body corporate that is that other body corporate's holding company.”

By virtue of section 13(2) reproduced above, company A is a holding company of company C if company A is the holding company of company B which in turn is the holding company of company C. In other words, both companies A and B are holding companies of company C. The names of all holding companies of a company of which a member is a remunerated director should be registered.

Details

Name of company _____

- Nature of business of the company

- Capacity

(Please ✓ where appropriate)

Proprietor

Partner

Director

Others (please specify)

- Names of all holding companies, if any, of the company _____

(If you have more remunerated proprietorship, partnership and directorships to register, please use the additional sheet provided after this page.)

Signature: _____

Date: _____

Category 1 – Remunerated proprietorships, partnerships and directorships

1(1) (cont'd)

Name of District Council: _____ Name of DC member/
co-opted member: _____

Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	
Name of company	
- Nature of business of the company	
- Capacity <i>(Please ✓ where appropriate)</i>	<input type="checkbox"/> Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Director <input type="checkbox"/> Others <i>(please specify)</i> _____
- Names of all holding companies, if any, of the company	

(Please make a copy of this sheet if necessary, and sign on every such sheet.)

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 2 – Remunerated Employment, Offices, etc.

2(1). Are you receiving any remuneration from any remunerated work, including employments, offices, trades or professions for which a fee, honorarium, allowance or other material benefit is payable (apart from membership of the DC)?

Yes No (Please ✓ where appropriate)

If yes, please list the details of the employment, office, trade or profession in each case in the table below.

- Notes:**
- (a) An employment, office, trade or profession is “remunerated” where a fee, honorarium, allowance or other material benefit is payable.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (* excluding various allowances/expenses reimbursement covering expenses incurred by his work as a DC member and medical allowances); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) “Remunerated offices” include “remunerated” public offices.
 - (d) DC members and co-opted members who have paid posts as consultants or advisers should indicate the nature of the consultancy in the registration form, for example, “management consultant”, “legal adviser”, etc.

Details

Name of the remunerated employment, office, trade or profession	Nature of business of the company

(If you have more remunerated employment, office, trade or profession to register, please use the additional sheet provided after this page.)

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 3 – Shareholdings

3(1). Do you have (either yourself or with or on behalf of your spouse or minor children) beneficial interests in shares in any company registered in Hong Kong or other body of a number greater than 1% of the total number of issued shares of the company or body?

Yes **No** (Please ✓ where appropriate)

If yes, please list the details in each case in the table below.

- Notes:**
- (a) There is no need to register the size, or value of the shareholdings.
 - (b) “Shareholdings” is defined as personal shareholdings and does not include shareholdings held by a DC member/co-opted member in the capacity as a nominee shareholder.
 - (c) It is the obligation of a DC member/co-opted member to register interests which to his knowledge fall under this category.
 - (d) Shareholdings held by the spouse of a DC member/co-opted member are not registrable unless such holdings are known to the DC member/co-opted member, and are held by the DC member/co-opted member “with or on behalf of” his spouse. This guideline is also applicable to shareholdings in respect of the minor children of a DC member/co-opted member.

Details

Name of company	Nature of business of the company

(If you have more shares to register, please use the additional sheet provided after this page.)

Signature: _____

Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 4 – Financial Sponsorships

4. In your capacity as a DC member/co-opted member, have you or your spouse received any financial sponsorships from any person or organisation which in any way relate to you as a DC member/co-opted member (stating whether any such sponsorships include any payment or any material benefit or advantage to you or your spouse, whether direct or indirect)?

Yes No (Please ✓ where appropriate)

- Notes:**
- (a) A DC member/co-opted member is expected to make the necessary enquiries of his spouse in order to make a full and timely return on the registration of interests relating to financial sponsorships.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (*excluding various allowances/expenses reimbursements covering expenses incurred by his work as a DC member and medical allowance); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) Any material benefit or advantage received *gratis* or at a price below that generally available to members of the public.
 - (d) Where a company is named as sponsor, please indicate briefly the nature of its business.
 - (e) Regarding the financial sponsorships received from a political organisation(*) to which a DC member/co-opted member belongs, it will suffice if a DC member/co-opted member registers only financial sponsorships directly received from his political organisation. Such registrable interests include cash subsidy of HK\$5,000 or above each month. DC members/co-opted members having regard to their own knowledge of the circumstances shall consider whether acceptance of a particular financial sponsorship contravenes the provisions of the Prevention of Bribery Ordinance (Cap. 201).

* The definition of “political body” is the same as that in the Societies Ordinance (Cap. 151). The relevant definition in the Societies Ordinance is reproduced as follows:

“Political body” means:

- (i) a political party or an organisation that purports to be a political party; or
- (ii) an organisation whose principal function or main object is to promote or prepare a candidate for an election.

If yes, please give details.

Signature: _____ Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 5 – Overseas Visits

6. In your capacity as a DC member/co-opted member, have you or your spouse made any visits or travels outside Hong Kong relating to or arising out of your membership of the DC or its committees where the costs of any such visits or travels have not been wholly borne by yourself or public funds (stating whether any such sponsorships include any payment or any material benefit or advantage to you or your spouse, whether direct or indirect)?

Yes No (Please ✓ where appropriate)

If yes, please list the details in the table below.

- Notes:** (a) A DC member/co-opted member is expected to make the necessary enquiries of his spouse in order to make return on the registration of interests relating to overseas visits.
- (b) When registering visits or travels outside Hong Kong under this category, please provide relevant information of visits or travels about dates, countries or regions, purposes, names of the sponsors, reasons for participation and nature of the interest received (please specify whether the interest relates to the provision of passage, accommodation and/or subsistence allowance). An interest under this category shall be registered within 14 clear working days of the conclusion of the visit or travel.

Details

Name(s) of the sponsor(s)	
Date(s) of the visit	
Country(countries) or place(s) to visit	
Purpose of the visit	
Reasons for participation in the visit	
Nature of interest received (Please specify whether the interest relates to the provision of passage, accommodation, and/or subsistence allowance)	

Signature: _____

Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 6 – Land and Property

6. Do you directly or indirectly hold any land or property in Hong Kong?

Yes No (Please ✓ where appropriate)

- Notes:**
- (a) It is suffice to register the general nature of the land or property owned by a DC member/co-opted member. Details such as address are not required. Please write, for example, “own a commercial property in the Western Constituency of the Central and Western District”, “own a residential property in the Yau Tsim Mong South Constituency of the Yau Tsim Mong District” or “own an industrial property in the Tsing Yi Constituency of the Kwai Tsing District”.
 - (b) There is no need to register the only or principal residence in Hong Kong which a DC member/co-opted member owns and ordinarily lives in unless he also derives income from it.
 - (c) Land or property are registrable where a DC member/co-opted member has an autonomous right of disposition or has any pecuniary interests deriving from it. Registrable interests include land or property owned by the DC member/co-opted member in his own name, or held indirectly such as through a company or through another person. In the case of holding through a company, the interest is registrable where the DC member/co-opted member has control of the company or owns more than 50% of the shareholdings in it. In the case of holding through another person, the interest is registrable where the DC member/co-opted member may dispose of the land or property through that person or derive any pecuniary interests from it. Land or property held by a DC member/co-opted member as trustee and in which the DC member/co-opted member has no autonomous right of disposition (e.g. the DC member/co-opted member as a nominee, trustee or custodian) needs not be registered.

Signature: _____

Date: _____

Name of District Council: _____

Name of DC member/
co-opted member: _____

Category 7 – Clients

7(1). Have you rendered any personal services which arise out of or are related in any manner to your membership of the DC/its committees to any clients, and hence from whom you receive a fee, honorarium, allowance or other material benefit?

Yes **No** (Please ✓ where appropriate)

If yes, please list the details in each case in the table below.

- Notes:**
- (a) Services in this context include those services rendered by a DC member/co-opted member personally or those, to his knowledge, rendered by an organisation of which the DC member/co-opted member is a partner, director, employee or office holder. A DC member/co-opted member shall make it clear to the clients that he must declare the names of the clients to the DC as stipulated in the District Council Standing Orders.
 - (b) The term “material benefit” refers to (i) interests received from a single source in the course of one year (from 1 January to 31 December each year) where the total value of such interests exceeds 5% of the annual honorarium* of a DC member (*excluding various allowances/expenses reimbursements covering expenses incurred by his work as a DC member and medical allowance); or (ii) one-off material benefits exceeding \$2,000 in value.
 - (c) Under this category of registrable interests, a DC member/co-opted member is obliged to register those interests to the best of his knowledge. However, it is not necessary for the DC member/co-opted member to find out the names of all the clients to whom his organisation renders remunerated services.
 - (d) In the registration of interests, where a company is named, a brief description of the nature of the company’s business should be given.
 - (e) On the registration of clients, the following are examples of registrable interests under this category which are provided merely for the purpose of illustration. Registrable interests are not confined to the professions cited in the following examples:
 - (i) An accountant firm of a DC member/co-opted member acts for a client in preparing tender documents for a project which is under deliberations by the DC or its committees.
 - (ii) A DC member/co-opted member is paid (e.g. by an organisation such as a public relations firm or an environmental group) to ensure that a particular point of view or issue is drawn to the attention of DC members/co-opted members. For example, the point of view may be related to an issue under debate by the DC or simply be a matter on which the organisation seeks to lobby DC members/co-opted members.

Details

Name of client	Nature of business of the client

(If you have more clients to register, please use the additional sheet provided after this page.)

Signature: _____

Date: _____

Name of District Council:

Name of DC member/
co-opted member:

Category 8 – Other declarable interests

8. If you have any relevant interests which you consider should be disclosed but which do not fall within the seven categories set out above, please give details below.

Other declarable interests include, but are not limited to, (i) membership (including president, chairperson, honorary president, honorary chairperson, etc.) of any organisations which may apply or have applied for funding from the DC; and (ii) any consultant, client or other important relationship(s) with the organisations which may apply or have applied for funding from the DC. (Optional for the DC Secretariat: Important relationship refers to the interest arising from such a relationship which in the eyes of the objective and reasonable general public may influence the judgement of the member concerned.)

Notes: (a) DC members/co-opted members are required to disclose pecuniary or other interests under Orders 19 and 22(1), which are reproduced below :

“In the event that...a DC member/co-opted member finds that he has any direct personal or pecuniary interests in a proposed discussion item on the meeting agenda, or finds that he has any pecuniary or other interests in matters on tender, quotation, etc. being dealt with in a discussion item or has any connection with the benefited party or potential benefited party, he should declare the interests in accordance with the requirements set out below in order that a decision on the appropriate course of action can be made.” (Standing Order 19).

“The DC member or co-opted member shall notify the Secretary before the meeting. The Secretary shall refer it to the chairman of the meeting, who shall then decide whether papers relevant to the item under consideration shall be sent to the DC member or co-opted member. Where a DC member or co-opted member, on receipt of a paper, finds that he has direct personal or pecuniary interests in the item under consideration, he shall immediately inform the Secretary and return the paper to the Secretary.” (Standing Order 22(1)).

Registration of interest is the additional requirement apart from the above Standing Orders and cannot replace the above requirements.

(b) DC members/co-opted members must also note the requirement under Order 22(2):

“The DC member/co-opted member shall declare his registrable interests to the committee/working group, as the case may be, prior to the discussion of the item.” (Standing Order 22(2))

Details

Notification of Absence from Meetings

(Sample)

To: Secretary of [Name] District Council/[Name] Committee/[Name] Working Group*
(Fax: xxxx xxxx)

I will not be able to attend the meeting of the District Council/[Name] Committee/[Name] Working Group* to be held on _____ [YY/MM/DD] for the following reason:

- # sickness (Please attach medical certificate)@
- # confinement or paternal care, the expected date of delivery is _____
- # fulfilment of civic obligations required by the law
_____ (Please specify)
- # serious illness or injury (Please attach certificate)
- # attendance at a meeting/activity organised by the Legislative Council or the advisory body/organisation appointed by the State or the Government
_____ (Please specify)
- # attendance at a meeting/an activity on behalf of the DC
_____ (Please specify)
- # others _____ (Please specify)

Please inform the DC/[Name] Committee/[Name] Working Group* of the above and seek its consent.

Signature of District Council Member/
Co-opted Member*: _____
Name of District Council Member/
Co-opted Member*: _____
Date: _____

* Please delete as appropriate.
Please insert ✓ as appropriate.
@ Please submit the medical certificate (either the original or the copy is acceptable) within two clear working days after submitting this Notification of Absence from Meetings if it is not yet available at that time.

Notification of Consent to / Not Consenting to
Absence from xxx Meeting

To: Member/co-opted member Mr/Ms/Mrs* _____

[Name] District Council / [Name] Committee / [Name] Working Group* at its meeting held on _____ [YY/MM/DD] consented / did not consent* to your absence from the meeting.

Signature of the Chairman of [Name] District Council/
[Name] Committee/[Name] Working Group* : _____

Name of the Chairman of [Name] District Council/
[Name] Committee/[Name] Working Group* : _____

Date : _____

c.c. Secretary of [Name] District Council/[Name] Committee/[Name] Working Group*

* Please delete as appropriate.