

**立法會議員  
申請發還工作開支的指引**

# 目錄

	<u>段數</u>
引言 .....	1 - 4
指導原則 .....	5 - 10
辦事處營運開支償還款額	
金額 .....	11
可申請發還費用的項目 .....	12
聘用職員 .....	13 - 22
使用顧問服務 .....	23 - 24
宣傳用品的開支 .....	25
舉辦活動的開支 .....	26
議員個人的保險費 .....	27
辦公地方的開支 .....	28 - 32
申領表格 .....	33
酬酢及交通開支償還款額	
金額 .....	34
可申請發還費用的項目 .....	35 - 40
申領表格 .....	41
郵費 .....	42
開設辦事處開支償還款額	
金額及申領條件 .....	43
可申請發還費用的項目 .....	44
申領表格 .....	45
資訊科技及通訊設備開支償還款額	
金額及申領條件 .....	46 - 47
申領表格 .....	48
	...../續

	<u>段數</u>
結束辦事處開支償還款額	
範圍 .....	49 - 50
金額及申領條件 .....	51 - 56
申領表格 .....	57 - 58
一般原則	
採購 .....	59 - 60
證明文件	
與申請發還款項有關的文件 .....	61
正本 .....	62
收據 .....	63
非以議員或議員辦事處名義進行的採購 .....	64
證明文件內須提供的細節 .....	65
提供刊物的樣本及宣傳用品的式樣 .....	66
公眾查閱 .....	67
開支時間 .....	68 - 69
預留款項 .....	70 - 71
盡量減少財政承擔 .....	72
資本項目 .....	73 - 76
交還或購買資本項目 .....	77
共付分擔的開支 .....	78 - 81
議員因某些已獲發還開支的情況、活動或資產而獲得的款項 .....	82
申請發還款項的期限	
辦事處營運開支、酬酢及交通開支、郵費，開設辦事處開支， 以及資訊科技及通訊設備開支 .....	83
結束辦事處開支 .....	84
上訴 .....	85
不可申請發還費用的項目 .....	86
調整 .....	87
審計監察 .....	88
預支營運資金	
範圍 .....	89
金額及申領條件 .....	90 - 92
申領表格 .....	93
	...../續

## 附錄

可申請發還費用的項目及數量限額.....	I
僱傭合約(樣本).....	II
受立法會議員聘用的職員的行為守則.....	III
“親屬”的定義.....	IV

## 表格

辦事處營運開支／酬酢及交通開支償還款額申領表.....	A
郵費申領表.....	B
開設辦事處開支償還款額申領表.....	C
資訊科技及通訊設備開支償還款額申領表.....	D
結束辦事處開支償還款額申領表.....	E
立法會秘書處直接繳付結束辦事處的開支.....	F
僱傭福利的付款及退還預留款項.....	G
改善及更換資本資產通知書.....	H
資本項目列表.....	I
交還以議員償還款額購置的資本項目.....	J
購買以議員償還款額購置的資本項目.....	K
營運資金申領表.....	L

...../續

職員招聘.....	DF I
向商業夥伴或附屬機構租用辦公地方.....	DF II
共用辦公地方.....	DF III
超過20,000元的採購或向議員、其職員或議員／職員的任何親屬 存有財務利益或控制權的人士／團體進行的採購.....	DF IV

# 立法會議員 申請發還工作開支的指引

(有關償還款額上限的條文由2005年10月1日起根據本指引第87段生效，而其他條文則由2005年10月12日起(即2005至06年度立法會會期開始當日)生效。)

## 引言

立法會議員可獲發還因履行立法會職務而須付出的開支。各類開支設有不同的償還款額和申領條件，現詳載於下文各段——

- (a) 辦事處的營運(第11至33段)；
  - (b) 酬酢及交通(第34至41段)；
  - (c) 郵費(第42段)；
  - (d) 開設辦事處(第43至45段)；
  - (e) 資訊科技及通訊設備(第46至48段)；以及
  - (f) 結束辦事處(第49至58段)。
2. 發還款項制度的一般原則，以及調整發還款額的機制，分別詳載於第59至86段及第87段。
  3. 每年會進行審計監察(第88段)。
  4. 議員可申請預支營運資金，用以支付上文第1段(a)、(b)、(d)及(e)項所列的開支。有關申請程序詳載於第89至93段。

## 指導原則

5. 議員或其親屬(請參閱附錄IV)不得在涉及申請發還款項的交易中，存有任何直接或間接的財務利益，或能夠從中獲取任何財務收益。
6. 議員應避免就任何會令公眾認為他本人、其親屬或商業夥伴可從中得益的交易申請發還款項。
7. 議員使用公帑時，應遵守公開、公平和問責的原則。
8. 若無法避免或已出現利益衝突情況，議員在申請發還款項時應申報利益，而申報的內容將會供公眾查閱。
9. 如所申請或可能申請發還款項的交易令議員有利益衝突之嫌，或該項交易已受到公眾關注，議員應以公眾利益為先的原則來處理這些事件。

10. 議員應盡量將其私人與立法會的事務／利益分割開，以及讓公眾知悉議員已如是地執行其職務，以免引起利益衝突或謀取私利之嫌。

## 辦事處營運開支償還款額

### 金額

11. 議員每年(即由10月至翌年9月)可獲發還不超過**1,336,490元**的須憑單據證明款額(即議員在申請發還款項時，應提交發票及收據正本或其他付款證明，作為證明文件)。

### 可申請發還開支的項目

12. 可獲發還開支的項目如下 ——

- (a) 職員開支，包括 ——
  - 職員薪酬(即薪金、假期薪金、約滿酬金、獎金、公積金供款及其他因僱傭關係而發放的津貼)
  - 醫療福利
  - 保險費  
(註：法例規定僱主須為僱員提供僱員補償保險。)
  - 法定支出款項
  - 招聘費用
  - 培訓費用；
- (b) 設備及傢具 —— 可申請發還開支的項目及其認可數量詳載於**附錄I的A部分**；
- (c) 文具；
- (d) 期刊、報章及刊物；
- (e) 印刷品(例如名片、有關立法會事務的通訊)；
- (f) 網站開支；
- (g) 顧問服務；
- (h) 通訊費用(包括寄出大量相同郵件的費用、互聯網、電話及傳真費用)；
- (i) 宣傳用品及宣傳活動；

- (j) 設備及傢具的維修及保養；
- (k) 辦事處保險費(例如就公共責任、失竊、火警及其他風險投購的保險)；
- (l) 議員個人的醫療及牙科診療保險費；以及
- (m) 辦公地方的開支(包括租金、差餉、地租、管理費及公用事業服務收費)。

關於辦事處營運開支償還款額，下文第13至32段載有更詳盡的指引。

### **聘用職員**

13. 議員在招聘職員時，應以求職者的才幹作為甄選準則，最好是透過公開方式招聘；議員應申報任何利益衝突，並確保所提供的總薪酬合理，以及與獲聘者的能力相稱。議員應填寫**申報表格I**，以記錄甄選過程及決定。為提高透明度，議員首次申領新聘職員的薪酬時，應把表格存放於立法會秘書處(下稱“秘書處”)。

14. 議員必須直接聘用其職員。每位議員應與其每名職員訂立個別的僱傭合約。合約應註明有關職員的職責。

15. 議員應盡量避免在職員的職務中混雜其私人和立法會事務。若不能把立法會與私人事務明確分開和分別交代，議員應採取以下安排：

- (a) 在僱傭合約中，申明職員是否同時受僱於議員的業務或受僱於議員的親屬、商業夥伴或附屬機構(包括但不限於議員的僱主、政黨及界別團體)，以及該名職員受僱在議員辦事處擔任的職位；
- (b) 詳列該名職員的職責範圍，以及處理立法會事務所佔的百分比；
- (c) 備存僱傭合約的副本，以供公眾查閱(如有需要，可將能辨別個人身分的資料及數據遮蓋)；以及
- (d) 在發還款項申領表(表格A)上，證明有關職員已履行僱傭合約內所訂職務。

16. 僱傭合約可以連續性合約的形式訂定，並無固定的終止日期，但須具終止合約安排的條文。倘合約訂有固定期限，其合約期不應超逾立法會任期屆滿後的1個月，同時亦應具提早終止合約的條文。



17. 議員必須在發還款項申領表上提供其職員的姓名及薪金數額。有關的申領表可供公眾查閱。議員亦須將僱傭合約的副本存放於秘書處，惟該等合約不會供公眾查閱，除非是為符合上文第15(c)段所訂的規定。若僱傭合約沒有顯示僱員的香港身分證號碼，有關的議員應另行以書面形式向秘書處提供該項資料。僱傭合約的樣本載於**附錄II**，供議員參考。此外，由於受聘於議員的職員的工作與議員的職務息息相關，因此應在僱傭合約內加入行為守則，以供職員遵從。廉政公署建議的行為守則載於**附錄III**。

18. 議員不得聘用其親屬為職員。“親屬”一詞的定義載於**附錄IV**。

19. 議員不得以公司名義聘用其職員。

20. 議員不得聯名與一名職員簽訂僱傭合約，並就付予該名職員的薪酬及附帶福利申領償還款額。

21. 申請發還與招聘職員有關的廣告開支時，必須將招聘廣告的文本一併附上。招聘廣告應述明，職員的職責是協助議員處理立法會事務。

22. 若聘用兼職及臨時人員，亦必須遵守上文第13至21段所載的規定。若有關職員不合資格加入強制性公積金計劃(但非因年齡理由而不合資格者)，則無須提交申報表格I。

### **使用顧問服務**

23. 議員可以常設或非常設的方式聘用顧問，協助其處理資料研究及撰寫演辭等立法會事務。為避免利益衝突，議員在使用顧問服務時須符合下列規定——

- (a) 議員應與所聘請的顧問個別簽訂合約；
- (b) 合約應清楚列明顧問所提供服務的範圍；
- (c) 議員應在發還款項的申領文件上列出顧問的名稱及所收取的費用，以供公眾查閱；
- (d) 合約的副本應存放於秘書處(合約無須供公眾查閱)；
- (e) 議員或其親屬不應與受聘顧問有任何利益關係；以及
- (f) 議員不應聘用其政黨或其政黨存有財務利益或控制權的任何公司／機構為顧問。

24. 由於顧問服務合約無須供公眾查閱，議員為申請發還款項而提交發票時，應在發票上清楚載述顧問工作的具體性質及範圍。

## **宣傳用品的開支**

25. 議員可申領辦事處營運開支償還款額支付宣傳用品的開支，惟有關的用品只可宣傳議員的網站、電郵地址，以及議員為處理立法會事務而設於花旗銀行大廈、中區政府合署西座的辦事處及／或地區辦事處的地址、電話號碼、傳真號碼、辦公時間及預約安排。除議員所屬政黨的名稱及徽號外，有關用品不得印有政黨的宣傳資料。通常可申請發還費用的項目及其認可數量載於**附錄I的B部分**。

## **舉辦活動的開支**

26. 議員可使用辦事處營運開支償還款額支付與立法會事務有關的宣傳及活動籌辦費用。“立法會事務”是指與行使《基本法》第七十三條所訂明的立法會職權有關的活動、一般政策事宜，以及**已**在立法會及／或其轄下委員會會議席上**提出或討論**的事項。可申請發還費用的項目詳載於**附錄I的C部分**。

## **議員個人的保險費**

27. 議員可使用辦事處營運開支償還款額，支付其個人的醫療及牙科診療保險費。

## **辦公地方的開支**

28. 應將每間租用辦事處的租約副本存放於秘書處，供公眾查閱。

29. 議員不可申請發還租用其本人或親屬有任何財務利益的物業作辦事處的開支。作為過渡安排，議員可申請發還此類租約的租金，直至租約期滿，惟議員須提交下文第31段所要求的**申報表格II**。若租約沒有終止日期，過渡安排將於2006年9月30日終結。

30. 議員應盡可能避免向其商業夥伴或附屬機構(包括但不限於議員的僱主、政黨及界別團體)租用其地區辦事處。

31. 如議員認為向上文第30段所述的人士或團體租用辦公地方乃符合其界別或公眾利益，該名議員須披露其與業主的關係、提供租用該物業的理據，以及取得由合資格的物業估價員作出的獨立市值租金評估。議員首次申請發還有關租金時，應提交**申報表格II**。

32. 如議員與另一人共用辦公地方，而該人並非使用有關辦事處處理立法會事務，該名議員應向秘書處提交附有尺寸的辦事處平面圖，標示各佔用人使用的地方及辦事處的公用地方。除非另有理據支持，否則發還的租金通常按使用面積的比例釐訂。議員首次申請發還有關租金時，應提交**申報表格III**。

## 申領表格

33. 申領辦事處營運開支償還款額應填寫**表格A**。

## **酬酢及交通開支償還款額**

### 金額

34. 議員每年(即由10月至翌年9月)可獲發還不超過**150,760元**的無須憑單據證明款額，但用以支付職員開支的部分則除外(請參閱下文第40段的解釋)。

### 可申請發還費用的項目

35. 議員或其職員因處理立法會事務而在本港或本港以外地方支出的酬酢、聯絡或交通開支，可憑經議員核實簽署的開支申領表申請發還，而無須出示證明文件。

36. 雖然議員無須提交證明文件，例如收據，他們只應申請發還實際的支出。

37. 酬酢開支是指即場耗用的食物或飲品的開支，以及任何其他與此有關或與此同時提供的娛樂開支。

38. 聯絡開支包括用於下列各項的開支 ——

- (a) 為典禮送出的花卉擺設及為喪禮致送的花圈；
- (b) 由秘書處安排在立法會辦公地方內舉行，旨在與非立法會議員聯絡的活動；以及
- (c) 在刊物刊登的賀辭。

39. 交通開支指下列各項 ——

- (a) 本地交通及與使用汽車有關的費用；以及
- (b) 本港以外地方的交通及住宿開支。

40. 議員可將最高達**50%**的酬酢及交通開支償還款額，用以支付須憑單據證明的職員開支。日後有關的遣散費，可在辦事處營運開支償還款額及結束辦事處開支償還款額項下獲發還。

## 申領表格

41. 申領酬酢及交通開支償還款額應填寫**表格A**。

## **郵費**

42. 如上文第12(h)段所述，議員可在其辦事處營運開支償還款額項下申請發還郵費開支。此外，議員亦可循另一途徑申請發還因處理立法會事務而投寄信件所支付的郵費(寄出大量相同郵件的費用除外)，就是申請從秘書處本身的運作開支帳撥付款項，以發還郵費。在提交此類申請時，議員應將**表格B**連同**表格A**一併遞交。議員使用表格B申請發還郵費時，應保存有關郵件的副本作審計用途。

## **開設辦事處開支償還款額**

### 金額及申領條件

43. 議員在每屆立法會任期內可申領不超過**150,000元**的開支償還款額，以開設其辦事處，包括開設由秘書處提供的辦事處。然而，倘議員已於上屆任期內申領開設辦事處開支償還款額，則在現屆任期內可申領的款額上限為**75,000元**，以供翻新、搬遷、擴展及／或加設辦事處，以及添置或更換設備及傢具。倘議員因租約期滿或其他合理原因而須關閉其原來的地區辦事處，並另行開設新辦事處，則可在現屆任期內申領不超過**150,000元**的償還款額(而非**75,000元**)。

### 可申請發還費用的項目

44. 可在開設辦事處開支償還款額項下申請發還費用的項目如下 ——

- (a) 裝修；
- (b) 資本項目(下文第73段所界定的設備及傢具)；
- (c) 基本文具(只限於新辦事處，以2,000元為上限)；以及
- (d) 其他有關開支，包括固定裝置、軟件、安裝費，以及每項1,000元以下的小型工具、傢具及設備。

**附錄I的A部分**所載的可申請發還費用的項目及其認可數量，亦適用於上述(b)項及(d)項所述的傢具及設備項目。

## 申領表格

45. 申領開設辦事處開支償還款額應填寫**表格C**。

## 資訊科技及通訊設備開支償還款額

### 金額及申領條件

46. 議員可於每屆立法會任期內申領為數最高達**100,000元**的償還款額，用以購置或改善資訊科技及通訊設備。申請償還的開支限於非經常項目或一次過的合約，包括為設立網站聘請顧問及培訓職員，以及購置電訊設備。

47. 可申請發還費用的項目及其認可數量，載於**附錄I的A部分**。

### 申領表格

48. 申領資訊科技及通訊設備償還款額應填寫**表格D**。

## 結束辦事處開支償還款額

### 範圍

49. 倘議員因決定不再參選、或因其所不能控制的理由，例如身故、重傷、落選或立法會的解散，而不再是立法會的議員，可申領結束辦事處開支償還款額。

50. 議員倘辭職或根據《基本法》第七十九(六)條<sup>(註)</sup>被免職，則無資格申領結束辦事處開支償還款額。

### 金額及申領條件

51. 此項償還款額由兩部分組成 ——

- (a) 一筆不超過每年辦事處營運開支償還款額十二分之一的款項(即**111,374元**)，用以支付遣散費以外的所有開支，其中10,000元可憑經核實簽署的開支申領表格申請發還，無須出示證明文件；以及
- (b) 一筆不設上限的款項，用以支付按《僱傭條例》規定計算並發放予職員的遣散費實數。惟遣散費可獲償還款額只限於利用議員辦事處營運開支償還款額所聘用的職員及不超過酬酢及交通開支償還款額50%所聘用的職員。

---

<sup>(註)</sup> “[立法會議員]在香港特別行政區區內或區外被判犯有刑事罪行，判處監禁一個月以上，並經立法會出席會議的議員三分之二通過解除其職務；” ——《基本法》第七十九(六)條

52. 倘議員在立法會任期屆滿前，因其所不能控制的理由而離任，並須提早終止合約，亦可利用第51(a)段的111,374元，支付根據合約必須承擔的負債。有關負債包括 ——

- (a) 職員的代通知金；以及
- (b) 向地區辦事處(以辦事處營運開支償還款額支付租金者)業主提供的補償，惟議員須盡早通知業主有意提早終止租約，以便業主可物色新租客，及盡可能減少議員因違約而須根據合約必須承擔的負債。

53. 儘管有上文第51(b)項的規定，議員亦可利用上述不設上限的款項，補償服務年資不足兩年的職員。有關款額應按比例計算，以《僱傭條例》中遣散費的計算方法為基準。

54. 議員只有在卸任日期後1個月內終止其僱員的合約及發給遣散費，才可獲發還有關款項。

55. 在結束辦事處期間，應盡早減少非必要的服務，所購置的物料，應限於結束辦事處時所必需者。為將發還代通知金的款額限於合理水平，議員應盡早向其職員發出終止僱用通知，而發出通知的日期不得遲於該議員知悉其卸任日期後7天。此外，在議員卸任1個月後仍持續使用的服務(包括職員的支援)，亦不會獲發還開支。

56. 所有結束辦事處開支應匯集在同一申請內，並應在第84段所述的期限內提出。

## **申領表格**

57. 申領結束辦事處開支償還款額應填寫**表格E**。

58. 議員亦可選擇填寫**表格F**，要求秘書處直接向受款人繳付以下開支 ——

- (a) 職員薪酬；
- (b) 辦事處租金；
- (c) 顧問費；
- (d) 提前終止合約的補償；以及
- (e) 遣散費。

## **一般原則**

### **採購**

59. 倘議員、其職員或議員／職員的任何親屬對某承辦商或供應商的業務存有財務利益或控制權，議員或其職員不應聘用該承辦商或

供應商。如無法避免，他們應以申報表格IV申報利益並填報有關理由（例如：獨家供應商、利用大額採購合約以獲較優惠價錢等）。

60. 對超過20,000元的採購貨品或服務，議員應索取最少3份報價書，就價格／服務作一比較。在可行情況下，應索取書面報價。申領償還款額時，應提交**申報表格IV**。

## **證明文件**

### **與申請發還款項有關的文件**

61. 議員只應在須憑單據證明的償還款額項下，為可申領的款項提交證明文件。若提交證明文件所涉金額高於申領限額，秘書處會將該等文件退還予議員，由議員決定擬就哪些開支項目申領部分款項。

### **正本**

62. 議員就須憑單據證明的開支申請發還款項時，有關的發票、收據等證明文件的**正本**，必須經其親自核實簽署，並送交立法會秘書處。如開支由兩方或以上攤分，以致有關的一位或多位議員未能提交發票及收據的正本，以證明其個別的開支申請，則提交證明文件正本的議員(或保存正本的一方)應核簽各方所攤分的款額；而並無備存正本的議員則應在此等經核實簽署的正本的影印本上核簽，以證明其開支申請。

### **收據**

63. 至於任何沒有收據證明的開支，議員所提交的證明文件應載有以下聲明字句：“此項開支並無收據，本人證明該筆款項已於\_\_\_\_年\_\_\_\_月\_\_\_\_日支付。”若周期性付款沒有收據證明，但付款會在下一個付款期的繳費通知書顯示，則應提交該通知書的副本，以證明該筆款項已經付訖。

### **非以議員或議員辦事處名義所進行的採購**

64. 如非實際上不可行，發票及收據應以議員或議員辦事處為抬頭。議員在申請發還購物款項時，若所持發票的對象為其職員或第三者，有關議員必須核簽，並附上解釋，證明已將該筆款項付還其職員或有關的第三者。

## **證明文件內須提供的細節**

65. 申請發還3,500元以上的開支時，證明文件上必須附有供應商的名字及地址、購買日期及所購物品的詳細說明。為免供應商(若為個人)的地址或任何其他個人資料被公開，議員可另行以書面向秘書處提供有關資料。

## **提供刊物的樣本及宣傳用品的式樣**

66. 議員在申請發還大量印刷的開支時，必須將一份印刷品樣本，連同發還款項申領表，一併送交秘書處。如屬招牌、廣告板及橫額，則應提供有關用品的式樣。

## **公眾查閱**

67. 除僱傭合約(上文第15(c)段適用的情況除外)、顧問服務合約及另行提供的職員及供應商(若為個人)的香港身分證號碼及地址外，所有申領表格、申報表格及證明文件均可供公眾查閱或複印。就此，謹此提醒議員，由於其職員及供應商的身分、有關的發票、收據及其他有關文件均會向公眾公開，議員應就此方面徵求其職員及供應商同意。議員向秘書處提交證明文件前，應將不擬公開讓公眾查閱的可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)遮蓋。

## **開支時間**

68. 議員或其職員繳付費用的時間，應視作該費用支出的時間。信用卡開支則按信用卡單據或訂購表格的簽署時間計算。某一年度內未申領的餘額**不得**用以發還另一年度的開支。

69. 至於跨越現年度的按期繳付款項，議員可在繳費的年度申請發還所繳金額的全數，或申請在現年度及其後年度，按有關費用的所屬時段，分期發還。倘按期繳付款項所涵蓋的時段超出議員的任期，發還款項將以議員任期屆滿後的1個月為限。倘議員獲選連任，預先支付而尚未獲發還的餘額，可根據當時有效的指引申請發還。

## **預留款項**

70. 議員可從其辦事處營運開支償還款額中預留款項，以備日後支付其職員的福利，如合約獎金、雙糧、或約滿酬金等。預留款項的金額應按照議員與其職員簽訂的合約及其他法律上的責任訂出，不應過量。議員無須提交證明文件便可獲發款項。



71. 在實際支付所預留的款項及／或在任何職員離職時，議員應將**表格G**，連同任何剩餘的款項，以及收據或其他證明文件，一併送交秘書處。過往年度預留的剩餘款項只可用作發還第70段所述、在預留款項年度內所產生的開支。

### **盡量減少財政承擔**

72. 議員應盡力與業主磋商，在租約內加入中止條款。議員不應以分期付款方式購買資本項目(資本項目的定義載於下文第73段)，亦應避免作出任何超逾其任期屆滿後1個月的承擔。

### **資本項目**

73. 資本項目指任何價值1,000元或以上而可用年限超逾1年的設備或傢具(但不包括電腦軟件及固定裝置，例如入牆櫃及嵌牆冷氣機)。安裝費不應算入資本項目之內。

74. 議員卸任時，須將已獲發還開支的資本項目交還秘書處，並須在交還前繳清有關項目的所有未付款項／負債。即將卸任、連任或就任的議員可按秘書處訂定的市價購買此等資本項目。即將卸任的議員可優先選擇購回其資本項目，但無權購買其他議員交還的資本項目。如資本項目的開支未獲全數發還，即將卸任的議員須支付的市價，將按其本人支付金額佔購入價的比例，予以扣減。

75. 為方便在議員卸任時進行估價，議員應在申領發還購置資本項目的開支時，盡量提供各項資本項目的詳細說明及各組成部分的價格。當申領改善或更換各項資本項目的有關開支時，應在**表格H**內提供詳細資料。

76. 議員必須在每年的1月及7月，以**表格I**提交其資本項目的存貨清單，顯示截至上月底的情況。

### **交還或購買資本項目**

77. 議員應在卸任時填寫**表格J**及**K**，通知秘書處會交還或購買哪些資本項目。若須交還多餘的資本項目，亦可利用**表格J**通知秘書處。

### **共付分擔的開支**

78. 議員只能申請發還可獨立分辨、明顯與私人事務無關和完全用作處理立法會事務的開支(開支項目如分擔電話線、電腦系統、影印機和電力)。

79. 在符合下文第81段的規定下，倘上文第78段所述的某項開支是與其他人士或議員的其他身分共同承擔，議員必須證明所申領的款項不會超出為處理與立法會有關事務所須支付的合理部分，而且並無或不會從其他方面申請發還該項開支。分擔開支的基準亦應說明。

80. 倘議員與其他人士共用其辦事處，該處的租金及其他開支應以貫徹一致的方式，每月按比例分攤。有關各方應就共用項目簽訂協議訂明分擔的責任，如協議有任何更改，應通知秘書處。

81. 議員只可與另一名議員或其他議員共同分擔購置資本項目的開支。有關的各議員(下稱該組議員)須簽署承諾書，保證當該組任何議員卸任時，會按承諾書所載的以下安排處置該項目——

- (a) 若該組有卸任的議員欲購買該項目，他／她會取得該組其他議員同意，並向秘書處支付該項目的市價。
- (b) 若該組有再度當選或仍然在任的議員欲保留該項目，繼續用於與立法會有關的事務，該名／該等議員會取得該組的卸任議員同意，並以市價向秘書處支付卸任議員對該項目所分攤的部分。
- (c) 若該組議員未能在兩個月內就該項目的處置方式達成協議，秘書處可接管該項目而無須付款。

### **議員因某些已獲發還開支的情況、活動或資產而獲得的款項**

82. 在某些情況下，議員可能會因某些已獲發還開支的情況、活動或資產而獲得款項，例如就其僱員與工作有關的意外或其他類別的保險而獲得的賠償，辭職僱員所繳付的代通知金，或出售資本項目而獲得的款項。議員須將該等款項用於立法會事務。議員必須向秘書處提交一份獨立帳目，詳列所獲得的各項款項，以及其後該等款項的用途，並附上證明文件。否則，有關款項必須退還秘書處。

### **申請發還款項的期限**

#### ***辦事處營運開支、酬酢及交通開支、郵費，開設辦事處開支，以及資訊科技及通訊設備開支***

83. 除結束辦事處開支償還款額外，議員應在支付開支的月份起計**3個月**內，申請發還款項。然而，議員如根據下文第90(b)或90(c)段獲預支營運資金以支付開設辦事處開支或購置資訊科技及通訊設備，必須在收取預支款項之日起計3個月內，將有關的證明文件連同表格C或表格D一併提交。

## **結束辦事處開支**

84. 就根據上文第56段申請發還結束辦事處開支而匯集的單據而言，最先與最後一項付款不應相隔超逾**6個月**，並應於支付最後一項費用起計**3個月**內申請發還款項。

## **上訴**

85. 任何議員倘未有在訂明的期限內提出申請，或需向議員工作開支委員會解釋，由該委員會決定應否處理該項申請。

## **不可申請發還費用的項目**

86. 不可申請發還費用的項目現舉例如下：

- (a) 可獲退還的按金；
- (b) 罰款；
- (c) 只供擬申請發還費用的議員、其職員、其他議員及／或該等議員的職員享用的娛樂開支，除非獲立法會行政管理委員會特別批准，則屬例外；
- (d) 煮食用具及設備(水煲、蒸餾水機、雪櫃及微波爐除外)；
- (e) 議員辦事處的裝飾品，例如油畫、相架及鮮花；
- (f) 賀卡、聖誕卡等；
- (g) 議員個人技能的訓練課程；以及
- (h) 贊助款項。

## **調整**

87. 議員的辦事處營運開支、酬酢及交通開支和結束辦事處開支的償還款額上限，將按丙類消費物價指數的變動，於每年10月予以調整。

## **審計監察**

88. 議員申領的償還款項須按年進行審計監察。就此，在進行實地審計時，議員須給予協助，例如提供紀錄、解釋及理據。為此目的，議員應保留最少兩年的紀錄。

## 預支營運資金

### 範圍

89. 議員可預支營運資金，用以支付辦事處營運開支、酬酢及交通開支、開設辦事處開支，以及資訊科技及通訊設備的開支。

### 金額及申領條件

90. 預支款項的限額為：

- (a) 辦事處營運開支另加酬酢及交通開支 —— 相等於兩個月可申請發還款項的總和(即247,875元)；
- (b) 開設辦事處開支 —— 按第43段所訂明可獲得的款額(即75,000元或150,000元)，但須扣減議員業已申領的償還款額；以及
- (c) 資訊科技及通訊設備開支 —— 100,000元，但須扣減議員業已申領的償還款額。

91. 預支予議員以支付辦事處營運開支、酬酢及交通開支的營運資金，會自議員可申領的結束辦事處開支和卸任前1個月的開支中扣回。議員如取得營運資金以開設辦事處，或購置資訊科技及通訊設備，必須在收取營運資金之日起計3個月內，提交有關的證明文件。

92. 如議員發現預支的資金多於所需，應盡快將多出的款項交還立法會行政管理委員會。

### 申領表格

93. 申請預支營運資金或將營運資金款額提高至指定限額，應填寫**表格L**。

\* \* \* \* \*

立法會秘書處

可申請發還費用的項目及數量限額

議員可申請發還下列購置項目的費用，惟各項目的購置總數不得超逾業經認可的數量。

A 部分

設備及傢具	業經認可的數量
影印機及配件 - 自動送紙裝置 - 自動分紙裝置 支票金額打字機 郵資蓋印機 碎紙機 摺紙機 * 高影機 幻燈機 * 掛牆銀幕 文件裝訂機 文件複印機／速印機 夾萬 過膠機 淨水機 抽濕機 連麥克風及擴音器的音響系統 吸塵機 飲水機 雪櫃 微波爐 會議桌 * 視像會議設備(包括輔助攝錄機及其他配件) * 電腦伺服器及相關配件	每個辦事處只限1部／個
* 攝影機(數碼及其他) 急救箱 電視機 錄影機 視像光碟／數碼影像光碟機 MD／MP3播放機 打字機 * 掃描機	每個辦事處不超過2部
電風扇 冷氣機 揚聲器 無線電對講機 白板 沙發 * 電子屏幕	每個辦事處不超過3部／塊／套
計算機 * 打印機 * 流動電話 * 傳呼機 * 綜合流動電腦設備／手提數碼助手 電子辭典／記事簿	每名議員及職員只限1部
* 電話及接駁電話線	每名議員及職員只限1部，另可再加5部
* 手提攝錄機 * 汽車電話	每名議員只限1部
* 傳真機 * 電話錄音機	每個辦事處不超過2部，另可再加2部

\* 可在資訊科技及通訊設備開支償還款額項下獲發還費用的項目

* 電腦硬件及隨附軟件 電腦枱及架	每名議員及職員不超過2套／張
滅火器	按法例規定
文件櫃	每名議員及職員不超過5個，每個辦事處另可再加5個
椅子	每名議員及職員只限1張，另可加50張供舉行活動時使用
書桌／摺枱／工作枱	每名議員及職員只限1張，每個辦事處另可再加4張

### B部分

宣傳用品	業經認可的數量
放置於議員辦事處所在大廈內的招牌／燈箱，用以展示 <ul style="list-style-type: none"> <li>－ 議員姓名</li> <li>－ 議員辦事處地址</li> <li>－ 議員辦事處的電話及傳真號碼</li> <li>－ 辦公時間</li> <li>－ 網址及電郵地址</li> </ul>	不得超過辦事處所在大廈的入口數目，另可再加5個
每項活動的邀請卡	不超過10 000張
印上 <ul style="list-style-type: none"> <li>－ 議員姓名</li> <li>－ 議員辦事處地址</li> <li>－ 議員辦事處的電話及傳真號碼</li> <li>－ 辦公時間</li> <li>－ 網址及電郵地址</li> </ul> 的展示板／橫額	不設限制

### C部分

活動種類	可申請發還費用的項目
研討會 記者招待會 展覽 問答比賽 比賽 辦事處開幕儀式	場地租金 僱用額外職員的費用 橫額 展示板 租用音響系統 佈置費 清潔費 出席者的交通費及設備的運送費 印刷講義 印刷入場券 印刷傳單 租用影視器材 廣告 沒有或只有少量轉售價值的紀念品
電話調查 收集簽名運動 問卷	僱用額外職員的費用 印刷費 郵費

備註：議員不可申請發還旅行、遊船河及燒烤等康樂活動所支出的費用。

## (樣本)

僱傭合約<sup>(註)</sup>接受聘任

本人 (中文姓名) \_\_\_\_\_ (英文姓名) \_\_\_\_\_  
(香港身分證號碼： \_\_\_\_\_) 接受 \_\_\_\_\_ 議員按下述條款及條件，  
聘任為 \_\_\_\_\_ 立法會議員辦事處的 \_\_\_\_\_：

1. 職責： 例如 i) 社區聯絡活動，或  
ii) 研究及資料搜集，或  
iii) 秘書／文書工作，及  
iv) 任何其他附帶職務。
2. 履新日期： 20\_\_\_\_年\_\_\_\_月\_\_\_\_日
3. 試用期： \_\_\_\_\_個月
4. 月薪： 港幣\_\_\_\_\_元
5. 強積金： 僱主及僱員會根據《強制性公積金條例》的條文作出供款
6. 逾時工作： 例如 i) 逾時工作的時薪為每月底薪的\_\_\_\_\_%，  
ii) 以補假抵償逾時工作津貼，但須視乎辦事處是  
否有急務，或  
iii) 並無逾時工作津貼。
7. 雙糧： 例如 i) 在農曆新年前獲發放一個月底薪，  
ii) 每服務滿一年獲發放一個月底薪，或  
iii) 不設雙糧。
8. 約滿酬金： 例如 i) 於\_\_\_\_年\_\_\_\_月\_\_\_\_日順利完成合約後，獲發放  
相等於服務期內底薪總額\_\_\_\_\_%的酬金，或  
ii) 不設約滿酬金。
9. 正常工作時間： 例如 i) 星期一至五上午9時30分至下午5時30分  
星期六上午9時30分至下午1時，或  
ii) 每星期\_\_\_\_\_小時。
10. 年假： \_\_\_\_\_個工作日。  
(服務滿一整年後始可放取)

11. 醫療福利： 例如 i) 一如本議員辦事處相若職級職員現時所享有的醫療保險，  
ii) 每月不超逾\_\_\_\_\_元，須出示執業醫生發出的收據，或  
iii) 不設醫療福利。
12. 終止僱用： 例如 i) 除第(ii)另有規定外，在給予\_\_\_\_\_月通知／代通知金，可終止本僱傭合約。  
ii) 本僱傭合約將於\_\_\_\_\_議員不再擔任立法會議員\_\_\_\_日／星期／月(不超過一個月)後終止。
13. 薪酬調整： 視乎工作表現而定，以立法會秘書處所釐定、與通脹掛鈎的議員辦事處營運開支償還款額為參考基準。
14. 行為守則 遵從隨附的行為守則。
15. 保密聲明： 在受聘於立法會\_\_\_\_\_議員期間，以及在離職後，均須將所知悉一切有關\_\_\_\_\_議員辦事處的運作及事務的資料保密。

---

僱員簽署

---

日期

本人同意按上述條款及條件聘用上述人士，以支援本人處理與立法會事務有關的工作。

- \* 獲聘人員同時受僱於本人的業務／親屬／商業夥伴／附屬機構(請參閱《發還工作開支指引》第15(a)段，並列明與第三方的關係及第三方的名稱)。此項聘任所提供的薪酬，是根據獲聘人員所處理與本人立法會職務有關的工作所佔的百分比不少於\_\_\_\_%(或\_\_\_\_小時)而訂定。

---

議員簽署

---

日期

(註) 此樣本只供參考。議員可決定適用於其職員的條款，但須謹記發還工作開支指引所訂明的償還款額上限。

\* 若不適用，可從僱傭合約中刪除。



## 受立法會議員聘用的職員的行為守則

### 目的

本守則旨在訂立一套行為準則，申明受議員聘用的職員在處理透過其職務身分取得的資源和資料時應有的表現。守則尤其著重協助議員的職員避免可能發生利益衝突的情況，並在履行職務時，秉持他們應有的良好操守。

### 操守及行為

#### 誠信

2. 議員的職員必須秉持誠實無私的基本原則，他們的操守和公眾行為不可令立法會及其服務的議員的信譽受損。尤其重要的是，當他們利用立法會議員工作開支償還款額購物時，應遵從公平、高透明度和具問責性的原則。

#### 不當利用職務身分

3. 職員不得不適當地利用其議員助理的身分謀取私利。例子包括在招聘過程中優待某人的親友，或在採購過程中洩露資料和不適當地優待個別供應商。這類行為可引致紀律處分，甚或被檢控。

#### 遵從本守則

4. 每位職員均有責任明白和遵從本守則。守則對所有全職、兼職及臨時職員均同等適用。

#### 舉報個案

5. 任何人如得知有不遵從守則或懷疑貪污或觸犯刑事罪行的情況，應向有關的立法會議員舉報，並在適當時，以絕對保密方式迅速向廉政公署舉報。

### 接受及提供利益

#### 利益

6. 立法會議員的職員不應索取、接受或提供任何涉及議員辦事處公事往來的利益。根據《防止賄賂條例》(第201章)第9條，機構的僱員如未經僱主許可，索取或接受與其工作有關的利益，可能已觸犯刑法。該條例對“利

益”一詞作出界定(請參閱**附件I**)。該詞幾乎涵蓋任何有價值的東西，例如金錢、饋贈、佣金、貸款、費用、報酬、職位、受僱工作、合約、服務或優待。

### 款待

7. 應避免接受與議員辦事處有公事往來的人士所提供的奢華和頻密的款待。此等人士包括但不限於傳媒、公眾人士、供應商、或任何其他藉提供這類款待活動而可能不公平地得益的人。拒絕接受此類款待可使職員不會對提供款待者負有義務。《防止賄賂條例》對“款待”的定義載於**附件I**。

### 免費饋贈及服務

8. 免費饋贈及服務屬於一種“利益”。若職員接受免費饋贈及服務，可影響他們在處理議員辦事處事務時的客觀性，或引致偏私或處事不當的投訴，他們應拒絕接受所提供的饋贈及服務。

9. 職員若以職務身分收受饋贈或紀念品，不論他們是否希望保存該物品，均應以書面徵求其僱主批准。職員應就此填寫**附件II**的表格。至於處置接獲的饋贈或紀念品的方法，應適當地考慮表格所列的各項方法。

### **利益衝突**

10. 應避免發生會令他人認為議員或其職員曾促使與其有密切關連人士或團體得益或其個人得益的情況。

11. 作為立法會議員助理，不應利用其職位或在履行職務期間取得的任何資料影響其他人士，以期謀取私益。

12. 就本守則而言，利益衝突是指職員的“私人利益”與公眾利益或職員的公務互相抵觸或有所衝突。“私人利益”包括以下各方的財務及其他利益：職員本身、其家人或其他親屬、私交友好、所屬會所及社團、與其有私人或社交連繫的任何羣體、或在任何方面對該職員有恩惠或該職員對其負有義務的任何人。在某些情況下，職員與親屬或友好的聯繫，或其他不構成財務利益的交往或效忠，都可能影響該職員在執行公務時的判斷，或可被合理視為有此影響。因此，職員申報利益衝突的責任並不限於披露以金錢界定的利益。

### 處理利益衝突的情況

13. 職員應確保以公開、公正、合理及為人接納的方式處理議員辦事處的事務。職員應避免發生有利益衝突的情況，一旦發生這情況，應申報利益，並以公眾利益為先的原則處理事件。

14. 職員應以書面形式申報利益，在適用情況下可採用“立法會議員申請發還工作開支指引”的申報表格。

15. 採購貨品和服務、招聘職員，以及提供議員辦事處服務時，應特別小心。舉例而言，若職員參與甄選供應商，而其中一名獲考慮的競投者為該名職員的家庭成員、親屬或私交好友，則可能會出現利益衝突情況。當有表面或實際利益衝突時，涉及的職員應不再處理有關事宜，並向議員匯報；議員可將工作重新分配予另一位職員。

## **處理資產及資源**

16. 職員若可使用以公帑購置的資產和藉其職務身分取得的資源，應確保該等資產及資源只用作履行議員職務的原定用途。不得挪用這些物品以謀取個人利益，例如作私人用途或未經授權轉售。

17. 處理私人事務的資源應與議員辦事處處理立法會事務的資源清楚分開，並應避免將這些資產及資源混合使用。

## **處理機密資料**

### 使用(保密)資料

18. 職員不應私下利用因履行議員助理職務而取得的資料，或從而獲取利益，在處理公眾人士一般不能得到的資料時尤甚。職員在議員辦事處履行職務時，只應索取執行職務所需的資料，不應為私人用途或個人興趣而要求取得資料。

### 保管機密資料

19. 可取得或管制機密資料的職員應在任何時間確保這些資料獲妥善保管，避免資料被不當使用或濫用。嚴禁未經有關議員授權而披露機密資料，或披露機密資料以獲取金錢報酬。此外，職員應遵從《個人資料(私隱)條例》(第486章)，避免未經授權披露任何個人資料。

## **其他受僱工作**

20. 職員應避免從事其他與其立法會議員助理角色有利益衝突的受僱工作。就全職職員而言(通常每星期工作不少於30小時)，若他們希望從事受薪的外間工作，不論是兼職或臨時性質，應取得其僱主批准。

## **虛假申索**

21. 由於涉及公帑，必須確保以問責態度申請發還款項。作出虛假的申索屬刑事罪行。

## 勤奮不懈

22. 由於議員的職員是以公帑聘用，他們應根據僱主既定的程序及指示，在執行職務及職責時作出應有的謹慎和努力。他們應盡忠職守、克盡己職，並盡其所能維護公眾利益。

\* \* \* \* \*

立法會秘書處  
2005年9月

## “利益”及“款待”的釋義

“利益”指 ——

- (a) 任何饋贈、貸款、費用、報酬或佣金，其形式為金錢、任何有價證券或任何種類其他財產或財產權益；
- (b) 任何職位、受僱工作或合約；
- (c) 將任何貸款、義務或其他法律責任全部或部分予以支付、免卻、解除或了結；
- (d) 任何其他服務或優待(款待除外)，包括維護使免受已招致或料將招致的懲罰或資格喪失，或維護使免遭採取紀律、民事或刑事上的行動或程序，不論該行動或程序是否已經提出；
- (e) 行使或不行使任何權利、權力或職責；及
- (f) 有條件或無條件提供、承諾給予或答應給予上文(a)、(b)、(c)、(d)及(e)段所指的任何利益，

但不包括《選舉(舞弊及非法行為)條例》(第554章)所指的選舉捐贈，而該項捐贈的詳情是已按照該條例的規定載於選舉申報書內的。

“款待”指供應在當場享用的食物或飲品，以及任何與此項供應有關或同時提供的其他款待。

[摘錄自《防止賄賂條例》(第201章)第2條]

(樣本)

## 僱員以議員辦事處的僱員身分接受饋贈的報告

致： \_\_\_\_\_ (議員)

**第I部(由受贈人填寫)**

現謹匯報，本人在下述場合以議員辦事處的僱員身分接受以下饋贈(請說明活動名稱及日期)——

\_\_\_\_\_

\_\_\_\_\_

接受饋贈詳情 ——

饋贈	估計價值(元)	饋贈人
(a)		
(b)		
(c)		

補充資料(如有) ——

\_\_\_\_\_

建議採取以下處理方法 ——

- 饋贈項目 \_\_\_\_\_：退回饋贈人。
- 饋贈項目 \_\_\_\_\_：由受贈人私下保存。
- 饋贈項目 \_\_\_\_\_：供受贈人辦事處職員或 \_\_\_\_\_\* 分享。
- 饋贈項目 \_\_\_\_\_：在受贈人辦事處或 \_\_\_\_\_\* 展示。
- 饋贈項目 \_\_\_\_\_：捐贈予外間團體(名稱：\_\_\_\_\_ )。
- 饋贈項目 \_\_\_\_\_：用作辦事處舉辦社交活動時的抽獎禮物。

受贈人姓名 \_\_\_\_\_ 簽署 \_\_\_\_\_

職位 \_\_\_\_\_ 日期 \_\_\_\_\_

**第II部(由議員填寫)**

- 建議獲批准。
- 建議不獲批准。饋贈應\_\_\_\_\_。

議員姓名 \_\_\_\_\_

日期 \_\_\_\_\_ 簽署 \_\_\_\_\_

- 在適當空格內加上✓號 \* 請刪去不適用者

## “親屬”的定義

“親屬”指 ——

- (a) 配偶(包括妾侍)；
- (b) 任何與議員如夫婦般經常一起生活的人士；
- (c) 未婚夫、未婚妻；
- (d) 父母、繼父母、合法監護人；
- (e) 配偶的父母、配偶的繼父母、配偶的合法監護人；
- (f) 祖父母、曾祖父母；
- (g) 子女、受法庭監護的子女；
- (h) 配偶的子女、配偶受法庭監護的子女；
- (i) 孫、孫女；
- (j) 子女的配偶；
- (k) 兄弟姊妹；
- (l) 配偶的兄弟姊妹；
- (m) 同父異母(或同母異父)的兄弟姊妹；
- (n) 繼父(或繼母)的子女；
- (o) 兄弟姊妹的配偶；
- (p) 兄弟姊妹的子女；
- (q) 父母的兄弟姊妹；
- (r) 父母的兄弟姊妹的配偶；
- (s) 父母的兄弟姊妹的子女。

立法會議員  
辦事處營運開支／酬酢及交通開支償還款額申領表

**第I部分 —— 申報及證明**

致：立法會秘書處  
秘書長  
(經辦組別：會計組)

本人\_\_\_\_\_為立法會議員，茲證明下列開支為200\_\_\_\_年\_\_\_\_月內本人為履行立法會職務而須支付者。請發還下列各項開支合共\_\_\_\_\_元予本人。

<u>部分</u>	<u>港元</u>	<i>(註1)</i>
II. 職員開支		
III. 設備及傢具		
IV. 辦公地方開支		
V. 其他一般工作開支		
辦事處營運開支		(A)
VI. 酬酢及交通開支 <i>(註2)</i>		(B)
(已扣減_____元轉撥至第II部分以聘請職員)		
證明文件及經核簽的開支合共		(A)+(B)

茲聲明：

- a) 倘本人有任何親屬受僱於本人的辦事處，本人現申請發還的款項，並不包括支付予該等親屬的款項；
- b) 本人現申請發還的款項，並不包括本人所屬政黨或其存有財務利益或控制權的任何公司／機構為本人提供服務而收取的顧問費；同時，本人及親屬與受聘顧問並無任何利益關係；
- c) 本人現申請發還的款項，並不包括租用本人／本人親屬存有財務利益的任何物業的租金，惟過渡期間尚未屆滿的租約則除外(《立法會議員申請發還工作開支的指引》(下稱“《發還工作開支指引》”)第29段)，而本人已就此等租約作出申報\*；
- d) 申請發還的所有職員薪金，均為履行就個別僱傭合約所訂的職務及工作時間；
- e) 本人並不反對公開個別職員的薪酬收據供公眾查閱；
- f) 以下第II部分所列預留作合約所訂及法定僱傭福利的款項並無超出所需數額，並且不會用作任何其他用途；本人承諾交還任何未使用的款項予秘書處；
- g) 價值1,000元或以上而可用年限超逾1年的項目(但不包括電腦軟件及固定裝置)，業已全部列於以下第III部分；以及
- h) 此項發還款項的申請在各方面均符合《發還工作開支指引》的規定。本人已閱讀該指引，並完全明白其內容。

此外，

- \* 本人有申領款項，以支付同時受聘於本人的業務／親屬／商業夥伴／附屬機構<sup>#</sup>的職員。有關詳情及理據已載於隨附／早前提交\*的申報表格I；
- \* 本人有申領款項，以租用由本人的商業夥伴／附屬機構<sup>#</sup>擁有的物業，並認為此舉符合選民／公眾利益。有關詳情及理據已載於隨附／早前提交\*的申報表格II；
- \* 本人有就採購貨品／提供服務申領發還款項，而本人或本人親屬對有關供應商的業務存有財務利益或控制權。有關詳情及理據已載於隨附的申報表格IV。

\_\_\_\_\_  
議員簽署

\_\_\_\_\_  
日期

\*請刪去不適用者 <sup>#</sup>附屬機構(例如僱主、政黨及界別團體)

(註1) 除下述註2另有規定外，由2005年10月1日至2006年9月30日期間，每年可申請發還的最高金額為(A)項1,336,490元及(B)項150,760元。超逾上述最高金額的任何開支不獲發還。

(註2) (B)項可申請發還最高金額的50%(即75,380元)，可轉撥至(A)項，用以聘請職員。任何已申請發還的金額，若其後撥作支付聘請職員的開支，應用括號註明。



**第II部分 —— 職員開支**

	職員姓名	支付金額				預留金額 約滿酬金 ／雙糧等	總額	只供秘書處 職員填寫
		薪金	醫療 福利	保險費	其他			
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
	職員薪酬及福利總額							
	其他職員開支(請註明)							
	招聘職員開支						元	
						總額	元	(註3)

(註3) 必須夾附證明文件(發票及收據正本或其他付款證明)。如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。

第III部分 —— 設備及傢具(只限資本項目；請參閱發還工作開支指引附錄I的數量限額)					
項目說明	數量	單價	總額	地點 (辦事處)	只供秘書處 職員填寫
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
			總額		(註3)
				元	

第IV部分 —— 辦公地方開支					
	辦事處1	辦事處2	辦事處3	辦事處4	只供秘書處 職員填寫
辦事處地址					
租金(每月)					
管理費(每月)					
差餉／地租 (每季／每月*)					
公用事業服務收費 (即水費、電費及煤氣)					
其他(請註明)					
總額： (註3)	元	元	元	元	

\*請刪去不適用者



立法會議員

郵費申領表

議員姓名	
業已使用的郵費	
月份	
該月內寄出的郵件數目	

- 註：1. 議員應保存郵件的副本作審計用途。  
 2. 議員應將郵費申領表連同每月辦事處營運開支還款額申領表一併遞交。

致：立法會秘書處  
 秘書長  
 (經辦組別：會計組)

茲證明上述郵費支出，並不包括寄出大量相同郵件的費用。此等郵費均屬本人為處理立法會事務而須支付者；該等費用並未亦不會在辦事處營運開支償還款額項下申請發還。請發還上述款項予本人。

\_\_\_\_\_  
 議員簽署

\_\_\_\_\_  
 日期

立法會議員  
開設辦事處開支償還款額申領表

致： 立法會秘書處  
秘書長  
(經辦組別：會計組)

本人\_\_\_\_\_茲證明下列開支為本人開設立法會議員辦事處而須支付者。  
請在開設辦事處開支償還款額項下發還下列各項開支合共\_\_\_\_\_元予本人：

<u>部分</u>	<u>港元</u>	
II. 裝修開支		(A)
III. 基本文具		(B)
IV. 資本項目		(C)
V. 其他有關開支		(D)
	_____	
	=====	
_____	_____	
議員簽署	日期	

<b>第I部分 —— 提出申請的背景資料</b>		
問題1	申領此項償還款額所開設的辦事處地址(每間辦事處填寫一份表格)	
問題2	在上一屆立法會會期是否曾就開設下述辦事處申領開支償還款額 - 秘書處提供的中央辦事處 - 地區辦事處?	*是 / 否 *是 / 否
問題3	本屆任期內曾申領的數額?	元
問題4	開設新辦事處原因為 - *在本屆任期前簽訂的租約期滿? - *其他可接納的理由? (請提供證明文件及詳細資料)	*是 / 否

\*請刪去不適用者

第II部分 —— 裝修開支					
項目說明	數量	單價	總額	購置日期	只供秘書處職員填寫
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
			總額(A)	元	(註)

第III部分 —— 基本文具					
項目說明	數量	單價	總額	購置日期	只供秘書處職員填寫
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
			總額(B)	元	(註)

(註) 必須夾附證明文件(發票及收據正本或其他付款證明)。如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。

第IV部分 —— 資本項目#						
項目說明		數量	單價	總額	購置日期	只供秘書處職員填寫
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
				總額(C)		(註)
					元	

第V部分 —— 其他有關開支(包括固定裝置、軟件、安裝費, 以及每項1,000元以下的小型工具、傢具及設備#)						
項目說明		數量	單價	總額	購置日期	只供秘書處職員填寫
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
				總額(D)		(註)
					元	

# 請參閱《發還工作開支指引》附錄1的數量限額

資訊科技及通訊設備開支償還款額申領表

致： 立法會秘書處  
秘書長  
(經辦組別：會計組)

本人\_\_\_\_\_為立法會議員，茲證明下列開支為處理立法會事務而須支付者。  
請發還下列各項開支合共\_\_\_\_\_元予本人：

<u>部分</u>	<u>港元</u>
I 資本項目	(A)
II 非資本項目	_____ (B)
	===== (A)+(B)

<b>第I部分 —— 資本項目</b>						
	項目說明	數量	單價	金額	購買日期	只供秘書處 職員填寫
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
	總額(A)				(註)	
				元		

(註)：必須夾附證明文件(發票及收據正本或其他付款證明)。如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。



第II部分 —— 非資本項目			
項目說明		金額	只供秘書處 職員填寫
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
總額(B)			(註)
		元	

立法會議員  
結束辦事處開支償還款額申領表

致： 立法會秘書處  
秘書長  
(經辦組別：會計組)

本人\_\_\_\_\_茲證明下列開支為本人因卸任而須承擔及已支付的款項。請在結束辦事處開支償還款額項下發還下列各項開支合共\_\_\_\_\_元予本人。

<u>部分</u>	<u>港元</u>	
I. 須憑單據證明的開支	_____	(A)
II. 遣散費以外其他須憑單據證明的約滿福利 (已減去過往預留的款項)	_____	(B)
III. 無須憑單據證明的開支	_____	(C)
(註1)	_____	(A)+(B)+(C)
IV. 遣散費	_____	(D)
	=====	

茲聲明：

- (a) 已盡早削減非必要的服務；
- (b) 購置的物料只限於結束辦事處時所必需者；
- (c) 除就提早終止合約作出補償外(若有的話)，並無就卸任之日起計一個月後的持續性服務申領發還款項；及
- (d) 遣散費的金額並無超逾《僱傭條例》的規定；或就受聘不足兩年的職員而言，所付予的遣散費，並無超逾按時間比率計算理論上應支付的遣散費；遣散費只付予以辦事處營運開支償還款額或酬酢及交通開支償還款額(但不超過款額的50%)聘用的職員。

\_\_\_\_\_  
議員簽署

\_\_\_\_\_  
日期

**第I部分 — 須憑單據證明的開支**

	具備證明文件的開支細節	金額	只供秘書處 職員填寫
1.			
2.			
3.			
4.			
5.			
6.			

(註1) 可申請發還的最高金額為111,374元。

<b>第I部分 — 須憑單據證明的開支(續)</b>			
<b>具備證明文件的開支細節</b>		<b>金額</b>	<b>只供秘書處 職員填寫</b>
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
總額(A)		元	(註2)

<b>第II部分 — 遣散費以外其他須憑單據證明的約滿福利</b>			
<b>細則</b>		<b>金額</b>	<b>只供秘書處 職員填寫</b>
詳情載於表格G附件 (B1)			
減去：過往預留的款項(註3) (B2)		( )	
淨額(B)		元	(註2)

<b>第III部分 — 無須憑單據證明的開支</b>			
<b>並無證明文件的開支性質</b>		<b>金額</b>	<b>只供秘書處 職員填寫</b>
1.			
2.			
3.			
4.			
5.			
總額(C)		元	

(註2) 必須夾附證明文件(發票及收據正本或其他付款證明)。如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。

(註3) 過往年度預留的款項若超逾(B1)，不得用以發還非在預留款項年度內產生的職員福利開支。應填寫表格G，將餘款退還。

第IV部分 — 遣散費

職員姓名	聘用期		聘用年期		最後的 整個月 薪金	可享有的 遣散費	以累算 退休福利/ 約滿酬金 對銷的數額	已付淨額	只供秘書處 職員填寫
	由 (日/月/年)	至 (日/月/年)	年	月					
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
總額(D)								元 (註2)	



第I部分 —— 職員薪酬						
職員姓名	應計期間		每月款額	應付金額	銀行/分行/帳戶號碼 (不會供公眾查閱)	只供秘書處職員填寫
	由 日/月/年	至 日/月/年				
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
總額(A)					元	

第II部分 —— 辦事處租金						
業主的姓名及地址		應計期間		每月款額	應付金額	只供秘書處職員填寫
		由 日/月/年	至 日/月/年			
1.						
2.						
3.						
					總額(B) (註2)	元

第III部分 —— 顧問費							
顧問的名字及地址		顧問工作的性質	應計期間		每月款額	應付金額	只供秘書處職員填寫
			由 日/月/年	至 日/月/年			
1.							
2.							
					總額(C) (註2)	元	

第IV部分 —— 提早終止合約的補償							
訂約人的姓名及地址		合約性質	應計期間		每月款額	應付金額	只供秘書處職員填寫
			由 日/月/年	至 日/月/年			
1.							
2.							
3.							
					總額(D) (註3)	元	

(註2)：必須夾附經核實簽署的發票正本。

(註3)：必須提交經核實簽署的合約複本，並用記號註明合約中的補償條款，以便核對和予以公開，讓公眾查閱。

**第V部分 —— 遣散費**

職員姓名	聘用期		聘用年期		最後的 整個月薪金	應付金額	銀行/分行/帳戶 號碼 (不會供公眾查閱)	只供秘書處 職員填寫
	由 日/月/年	至 日/月/年	年	月				
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
<b>總額(E)</b>						元		



僱傭福利的付款及退還預留款項

<b>議員姓名</b>	
<b>辦事處地址</b>	

致：立法會秘書處  
秘書長  
(經辦組別：會計組)

謹夾附\*本人的職員所遞交的收據正本，證明其福利已收妥／並附上支票乙張，以退還不再需要的剩餘撥款。本人確認下列撥款餘額仍由本人保管。

港元

截至\_\_\_\_\_在辦事處營運開支  
(月／年)

償還款額項下所獲撥款的餘額

減去：付予職員的款項  
(詳情參看附件) ( )

減去：現時退還的過量撥款  
(夾附支票) ( )

結轉的撥款餘額 \_\_\_\_\_

鑑於本人對僱傭合約尚未屆滿的職員所須履行的責任，謹確認本人現時保存的撥款餘額並非過量。

\_\_\_\_\_  
議員簽署

\_\_\_\_\_  
日期

\*請刪去不適用者

各項僱傭福利的付款

茲夾附下列收據的正本：

職員姓名	付款期		款項性質 (例如約滿酬金，年終獎金)	福利計算方法 (請列出計算方法)	已付金額 (港元)	只供秘書處 職員填寫
	由 (日/月/年)	至 (日/月/年)				
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
總額						(註)
					元	

(註)：如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。

立法會議員改善及更換資本資產通知書

致：立法會秘書處  
秘書長  
(經辦組別：會計組／物料供應組)

本人\_\_\_\_\_已\*改善／更換以下資本項目。請致電\_\_\_\_\_與本人的助手\_\_\_\_\_先生／女士聯絡，以確定被更換項目的處置方法，並相應更新秘書處的紀錄。

\_\_\_\_\_ 議員簽署 \_\_\_\_\_ 日期

\* 請刪去不適用者

第I部分		
原本資產	詳情	只供秘書處職員填寫
1. 購置日期		
2. 秘書處資產編號		
3. 說明		
4. 金額(或更換零件的估計金額)		
5. 項目的狀況	<ul style="list-style-type: none"> <li>* 以第II部分的项目予以改善</li> <li>* 以_____元貼換(註1)</li> <li>* 以_____元出售，所得款項用於_____項目，並附上證明文件</li> <li>* 遺失／損毀／性能良好</li> <li>* 廢物(處置方法由物料供應組決定)</li> </ul> 備註：_____	物料供應組同意的處置方法
6. 物料供應組決定的處置方法	<ul style="list-style-type: none"> <li>* 當作廢物處置並由議員處置</li> <li>* 交還秘書處</li> <li>* 其他方法：_____</li> </ul>	

第II部分		
新項目	詳情	只供秘書處職員填寫
1. 說明		
2. 已付淨額(註1及2)		
3. 備註		

(註1) 出售更換資產或部分零件而得的款項，應用以扣除為購置新項目而申領的款額。

(註2) 必須在隨附的申領表夾附證明文件(發票及收據正本或其他付款證明)。如證明文件載有可辨別個人身分的資料及數據(例如香港身分證號碼、信用卡號碼、電話號碼或住址)，而該等資料不擬公開讓公眾查閱，則議員在提交證明文件前，便應將該等資料遮蓋。

## 資本項目列表

<b>議員姓名</b>	
<b>辦事處地址</b>	

致：立法會秘書處  
秘書長  
(經辦組別：會計組)

茲證明下列以議員工作開支償還款額購置的資本項目於\_\_\_\_\_存放  
在本人的辦事處，供本人處理立法會事務： (日期)\*

編號	秘書處 資產編號	說明	購置日期	購買價	發還款項
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
			第2頁總額		
			第3頁總額		
			<b>總計</b>	元	元

\_\_\_\_\_  
議員簽署

\_\_\_\_\_  
日期

\* 每半年申報一次，以6月30日及12月31日為截數日

資本項目列表

第\_\_\_\_\_頁  
共\_\_\_\_\_頁

<b>議員姓名</b>	
-------------	--

編號	秘書處 資產編號	說明	購置日期	購買價	發還款項
<b>本頁總額</b>					
				元	元

交還以議員償還款額購置的資本項目

致：立法會秘書處  
秘書長  
(經辦組別：會計組／物料供應組)

\*本人／我們打算交還以議員工作開支償還款額購置的資本項目。閣下可致電  
\_\_\_\_\_與本人助理\_\_\_\_\_先生／女士聯絡，以便作出所需的安排。

編號	秘書處 資產編號	說明	數量	發還款項	地點	性能 良好 (✓/x)	物料供應組 同意的 處置方法
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
		第2頁總額					
		總計			元		

議員簽署 議員簽署 議員簽署 議員簽署 議員簽署  
姓名： 姓名： 姓名： 姓名： 姓名：

日期：

\* 請刪去不適用者

表格J  
(續上頁)

交還以議員償還款額購置的資本項目

第\_\_\_\_\_頁  
共\_\_\_\_\_頁

編號	秘書處 資產編號	說明	數量	發還款項	地點	性能 良好 (✓/✗)	物料供應組 同意的 處置方法
		本頁總額					

元

購買以議員償還款額購置的資本項目

致：立法會秘書處

秘書長

(經辦組別：會計組)

\* 本人／我們打算按秘書處所定的市價購買以議員工作開支償還款額購置的以下資本項目。

\* 我們曾共同以議員工作開支償還款額購置以下資本項目。茲同意  
\_\_\_\_\_可按下述價格購買該等資本項目。

(議員姓名)

編號	秘書處 資產編號	說明	數量	發還款項	秘書處 所定的市價
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
		第2頁總額			
		<b>總計</b>			
				元	元

夾附為數\_\_\_\_\_元的支票一張，收款人為“立法會行政管理委員會”。

議員簽署

議員簽署

議員簽署

議員簽署

議員簽署

姓名：

姓名：

姓名：

姓名：

姓名：

日期：

\* 請刪去不適用者





立法會議員  
營運資金申領表

致：立法會秘書處  
秘書長  
(經辦組別：會計組)

本人\_\_\_\_\_擬申請為數達\_\_\_\_\_元的營運資金，以支付下述開支：

港元

辦事處營運開支、酬酢及交通開支	(A)
開設辦事處開支	(B)
資訊科技及通訊設備開支	_____ (C)

=====

(註)

本人明白：

- a) 用以支付辦事處營運開支、酬酢及交通開支的營運資金，會自本人卸任前最後一個月的工作開支償還款額，以及本人可申領的結束辦事處開支償還款額中扣回；
- b) 用以支付開設辦事處開支的營運資金，會自開設辦事處開支償還款額中扣回，而本人必須在收到營運資金之日起計3個月內遞交適當的證明文件，以申領該開設辦事處開支償還款額；
- c) 用以支付資訊科技及通訊設備的營運資金，會自資訊科技及通訊設備開支償還款額中扣回，而本人必須在收到營運資金之日起計3個月內遞交適當的證明文件，以申領該資訊科技及通訊設備開支償還款額；及
- d) 如察覺有多餘款項，必須盡早交還立法會行政管理委員會。

請將營運資金存入本人較早時提供的銀行帳戶。

\_\_\_\_\_  
議員簽署

\_\_\_\_\_  
日期

(註) 議員可申領的最高金額為(A)項247,875元；(B)項75,000或150,000元及(C)項100,000元，但須視乎議員在各項開支下是否仍有未用的餘額。

## 職員招聘

議員姓名	
招聘職位	
<b>第I部 —— 招聘方式及程序</b> <sup>(註1)</sup>	
<p>(A) 公開招聘</p> <p><input type="checkbox"/> 在報章刊登廣告</p> <p>_____ (請註明) _____ 日期</p> <p><input type="checkbox"/> 在辦事處壁報板／窗戶展示 招聘告示</p> <p>_____ 日期</p> <p><input type="checkbox"/> 在網站刊登招聘告示</p> <p>_____ 日期</p> <p><input type="checkbox"/> 透過勞工處</p> <p>_____ 日期</p> <p><input type="checkbox"/> 其他： _____ 日期</p> <p>_____ (請註明) _____ 日期</p>	
<p>(B) 邀請(或其他方式)</p> <p>請說明途徑或與申請人的關係</p>	
接獲的申請數目	

在適當空格內加上✓號

(註1) 為符合審計監察的目的，在招聘工作完成後，應把有關文件保存最少兩年。

獲邀參加面試的申請人數目									
面試日期									
獲取錄的申請人									
<b>第II部 —— 申報(由推薦/作出聘任的決定人填寫)</b>									
<p>(i) 受聘者 是/不是* 本人親屬。</p> <p>(ii) 在進行此項招聘工作前，下開決定人(A)/<del>(B)</del>* 認識/<del>不認識</del>* 受聘者。受聘者現在/<del>過往</del>* 是本人/<del>我們</del>* 的 _____ (請註明關係的性質)。</p> <p>(iii) 純粹以求職者的才幹作為推薦/聘任準則。除一般市場情況等因素外，已適當考慮所有求職者展示的能力和要求的薪酬。</p>									
決定人(A)	<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 30%;"></td> <td style="border-bottom: 1px solid black; width: 20%;"></td> <td style="border-bottom: 1px solid black; width: 20%;"></td> <td style="border-bottom: 1px solid black; width: 30%;"></td> </tr> <tr> <td style="text-align: center;">姓名</td> <td style="text-align: center;">職位/身分</td> <td style="text-align: center;">簽署</td> <td style="text-align: center;">日期</td> </tr> </table>					姓名	職位/身分	簽署	日期
姓名	職位/身分	簽署	日期						
決定人(B)	<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 30%;"></td> <td style="border-bottom: 1px solid black; width: 20%;"></td> <td style="border-bottom: 1px solid black; width: 20%;"></td> <td style="border-bottom: 1px solid black; width: 30%;"></td> </tr> <tr> <td style="text-align: center;">姓名</td> <td style="text-align: center;">職位/身分</td> <td style="text-align: center;">簽署</td> <td style="text-align: center;">日期</td> </tr> </table>					姓名	職位/身分	簽署	日期
姓名	職位/身分	簽署	日期						
<b>第III部 —— 申報(由僱用受聘者的議員填寫)</b>									
<p>本人謹此證明：</p> <p>(i) 受聘者並非本人親屬；</p> <p>(ii) 在進行此項招聘工作前，本人 認識/<del>不認識</del>* 受聘者；*受聘者現在/<del>過往</del>* 是本人的 _____(請註明關係的性質)。</p> <p>(iii) 純粹以求職者的才幹作為聘任準則。除一般市場情況等因素外，已適當考慮所有求職者展示的能力和要求的薪酬；以及</p> <p>(iv) *受聘者亦受僱於本人的業務/<del>親屬</del>/<del>商業夥伴</del>/<del>附屬機構</del>* (請參閱《發還工作開支指引》第15(a)段，在以下空白位置列明受聘者與第三方的關係和第三方的名稱)，謹附受聘者與議員辦事處簽署的僱傭合約副本，供公眾查閱。</p>									
<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 50%;"></td> <td style="border-bottom: 1px solid black; width: 50%;"></td> </tr> <tr> <td style="text-align: center;">議員簽署</td> <td style="text-align: center;">日期</td> </tr> </table>			議員簽署	日期					
議員簽署	日期								

\* 請刪去不適用者

## 向商業夥伴或附屬機構租用辦公地方

議員姓名			
<i>第I部 —— 有關辦事處及業主的詳情</i>			
地址			
業主姓名			
議員與業主的關係			
<i>第II部 —— 租用上述辦事處的理由</i>			
<i>第III部 —— 實際租金與市值租金的比較</i>			
根據《測量師註冊條例》(第417章)註冊的專業測量師(產業測量)的姓名／香港測量師學會(產業測量組)正式會員的姓名			
可資比較的估價日 (即估價適用的日期)		簽訂租約日期	
市值租金估值		租約上的實際租金	
<i>第IV部 —— 申報</i>			
本人謹此證明上述資料正確，並附上第III部所述的獨立估價報告。			
<hr/> 議員簽署		<hr/> 日期	

\* 請刪去不適用者

## 共用辦公地方

議員姓名	
<i>第I部 —— 有關辦事處的詳情</i>	
地址	
業主	
合租人	
合租人業務	
租賃期	至
租約	請參閱夾附租約及附圖(圖上已標示只用作／並非用作處理立法會事務的地方，以及共用的地方)
附有尺寸的樓面平面圖	
整個辦事處的租金	每月 元
議員就立法會事務分擔的租金	每月 元
<i>第II部 —— 分擔租金的基準及計算</i>	
<i>第III部 —— 申報</i>	
<p>本人謹此證明上述提供的資料正確，並承諾將任何更改事項通知立法會秘書處，以及在有需要時，以公平的方式調整分擔開支的比例。</p>	
<p>_____</p> <p>議員簽署</p>	<p>_____</p> <p>日期</p>



第III部 —— 申報(由作出採購的決定人填寫)

本人／我們及本人／我們的親屬對供應商／服務提供者的業務並不存有財務利益或控制權。(如有，請提供詳情。)

決定人(A)

姓名 職位/身分 簽署 日期

決定人(B)

姓名 職位/身分 簽署 日期

第IV部 —— 申報(由議員填寫)

本人謹此證明：

- (i) 本人及本人的親屬對供應商／服務提供者的業務並不存有財務利益或控制權；以及
- (ii) \*供應商／服務提供者並非本人的商業夥伴，亦非本人所附屬的機構。
- (iii)\*所選定的供應商／服務提供者是本人的商業夥伴或本人所附屬的機構。然而，本人以公眾利益作出採購決定。

(請述明與供應商／服務提供者的關係，並說明作出採購決定的特別原因(例如該供應商是所需物品／服務的唯一供應商；使用附屬機構的大額採購合約可享較低價錢等)。)

議員簽署

日期

\* 請刪去不適用者



**A Guide for Reimbursement  
of Operating Expenses  
for Members of the Legislative Council**

## Table of Contents

	<u>Paragraph</u>
Introduction .....	1 - 4
Guiding Principles .....	5 - 10
<b>Office Operation Expenses Reimbursement</b>	
Amount .....	11
Claimable Items .....	12
Employment of Staff .....	13 - 22
Use of Consultancy Service .....	23 - 24
Expenses on Publicity Items .....	25
Expenses on Activities .....	26
Member's Personal Insurance .....	27
Office Accommodation Expenses .....	28 - 32
Claim Form .....	33
<b>Entertainment and Travelling Expenses Reimbursement</b>	
Amount .....	34
Claimable Items .....	35 - 40
Claim Form .....	41
Postage .....	42
<b>Setting Up Expenses Reimbursement</b>	
Amounts and Conditions .....	43
Claimable Items .....	44
Claim Form .....	45
<b>Information Technology and Communication Equipment Expenses Reimbursement</b>	
Amount and Conditions .....	46 - 47
Claim Form .....	48
<b>Winding Up Expenses Reimbursement</b>	
Scope .....	49 - 50
Amount and Conditions .....	51 - 56
Claim Forms .....	57 - 58

...../Cont'd

General Principles	
Procurement .....	59 - 60
Supporting Documents	
Documents Pertinent to Reimbursement .....	61
Originals .....	62
Receipts .....	63
Purchases Not Made in the Name of the Member or Member's Office .....	64
Particulars to be Provided on Supporting Documents .....	65
Provision of Samples of Publications and Publicity Items .....	66
Public Inspection .....	67
Time of Expenditure .....	68 - 69
Funds Set Aside .....	70 - 71
Minimization of Financial Commitments .....	72
Capital Items .....	73 - 76
Return or Purchase of Capital Items .....	77
Shared Expenses .....	78 - 81
Payment to Members Arising from Situations, Activities or Assets for which Expenses have been Reimbursed .....	82
Time Limits for Making Reimbursement Claims	
Office Operating Expenses, Entertainment and Travelling Expenses, Postage, Setting Up Expenses, and Information Technology and Communication Equipment Expenses .....	83
Winding Up Expenses .....	84
Appeal .....	85
Non-reimbursable Items .....	86
Adjustments .....	87
Compliance Audit .....	88
Advance of Operating Funds	
Scope .....	89
Amounts and Conditions .....	90 - 92
Application Form .....	93

...../Cont'd

Appendix

Claimable items and quantity limits .....	I
Employment contract (sample) .....	II
Code of conduct for staff employed by Legislative Council Members .....	III
Definition of 'relative' .....	IV

Form

Claim for reimbursement of office operation expenses/entertainment and travelling expenses.....	A
Claim for postage .....	B
Claim for reimbursement of setting up expenses .....	C
Claim for reimbursement of information technology and communication equipment expenses .....	D
Claim for reimbursement of winding up expenses .....	E
Direct settlement of winding up expenses by the Legislative Council Secretariat .....	F
Employment benefits : payment and refund of funds set aside .....	G
Notification of upgrading and replacement of capital assets .....	H
Capital items list .....	I
Return of capital items acquired with Members' reimbursements .....	J
Purchase of capital items acquired with Members' reimbursements .....	K
Application for operating funds .....	L

...../Cont'd

Declaration Form

Recruitment of staff .....	DF I
Leasing of office accommodation from a business associate or affiliated organization .....	DF II
Sharing of office accommodation .....	DF III
Procurement exceeding \$20,000 or from a party in which the Member, his/her staff or any of their relatives has a financial interest or is in control .....	DF IV

# **A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council**

(While the provisions on reimbursement ceilings take effect from 1 October 2005 in accordance with paragraph 87, the other provisions take effect from 12 October 2005, the beginning of the 2005-06 LegCo session.)

## **Introduction**

A Member of the Legislative Council (LegCo) is provided with reimbursements to cover expenses arising out of his/her LegCo duties. Different reimbursable amounts and conditions are applicable to different types of expenses. They are detailed in the paragraphs indicated below —

- (a) office operation (paragraphs 11 - 33);
- (b) entertainment and travelling (paragraphs 34 - 41);
- (c) postage (paragraph 42);
- (d) setting up (paragraphs 43 - 45);
- (e) information technology and communication equipment (paragraphs 46 - 48); and
- (f) winding up (paragraphs 49 - 58).

2. General principles of the reimbursement system and the mechanism for adjustment of the reimbursable amounts are detailed in paragraphs 59 to 86 and 87 respectively.

3. Annual compliance audits are conducted (paragraph 88).

4. A Member may apply for advance of operating funds to finance those expenses classified under (a), (b), (d) and (e) in paragraph 1 above. The detailed procedures are set out in paragraphs 89 to 93.

## **Guiding Principles**

5. A Member or his/her relatives (see Appendix IV) must not have any direct or indirect financial interest in, or be able to derive financial benefits from, any transaction in respect of which reimbursement is claimed.

6. A Member should refrain from claiming reimbursement for any transaction from which he himself/she herself, his/her relatives or business associates may be perceived to have benefited.

7. A Member should use public funds in an open, fair and accountable manner.

8. If a conflict of interest cannot be avoided or has arisen, a Member, when applying for reimbursement, should make a declaration which will be made available for public inspection.

9. Should there be a transaction in respect of which reimbursement is claimed or may be claimed, and there is a conceived conflict of interest, or the transaction has become a matter of public concern, the Member should take steps to resolve the conflict in favour of the public interest.

10. A Member should separate his/her private and LegCo operations/interests as far as possible, and be seen to be doing so to avoid any perception of conflict of interest or personal benefit.

## **Office Operation Expenses Reimbursement**

### **Amount**

11. Up to **\$1,336,490** a year (i.e. from October to September next) can be reimbursed on an accountable basis (i.e. original invoices and receipts or other evidence of payment should be provided as supporting documents when applying for reimbursement).

### **Claimable Items**

12. Items of reimbursable expenses are as follows —

- (a) staff expenses, including —
- staff remuneration (i.e. salaries, leave pay, gratuities, bonuses, provident fund contributions and other employment-related allowances)
  - medical benefits
  - insurance payments  
(Note : Employers are statutorily required to provide coverage for employee compensation.)
  - statutory payments
  - recruitment expenses
  - training expenses;

- (b) equipment and furniture — claimable items and their approved quantities are detailed in **section A of Appendix I**;
- (c) stationery;
- (d) periodicals, newspapers and publications;
- (e) printing (e.g. business cards, newsletters on LegCo business);
- (f) website expenses;
- (g) consultancy service;
- (h) communication charges (including postage for bulk mailing, Internet, telephone and fax charges);
- (i) publicity items and activities;
- (j) repair and maintenance of equipment and furniture;
- (k) office insurance (e.g. insurance on public liabilities, theft, fire and other perils);
- (l) member's personal medical and dental insurance payments; and
- (m) office accommodation expenses (including rentals, rates, government rents, management fees, and utility charges).

Further guidelines on the office operation expenses reimbursement are provided in paragraphs 13 to 32 below.

### ***Employment of Staff***

13. A Member should recruit his/her staff based on merit, preferably by open recruitment, declare any conflict of interest, and ensure that the total remuneration offered is reasonable and commensurate with the appointee's abilities. The selection process and decision should be documented in **Declaration Form I**. To enhance transparency, the Form should be deposited with the LegCo Secretariat (the Secretariat) when reimbursement for the new recruit's remuneration is claimed for the first time.

14. A Member must be directly responsible for the employment of his/her staff. Each Member should enter into an individual employment contract with each of his/her staff members. The contract should specify the job descriptions for the staff concerned.



15. Intermingling of LegCo and non-LegCo business in the duties of a staff member should be avoided as far as practicable. If LegCo and non-LegCo business cannot be clearly separated and accounted for, the following arrangements should be adopted:

- (a) declare in the employment contract whether the staff member is also in the employ of the Member's business or in the employ of the Member's relatives, business associates or affiliated organizations (including but not limited to the Member's employer, political party and constituency association), and the capacity in which this staff member is to be employed at the Member's office;
- (b) detail the duties involved and the percentage of work that is related to LegCo business;
- (c) make available a copy of the employment contract for public inspection (personal identifiers and data may be blocked out if necessary); and
- (d) certify on the reimbursement claim form (Form A) that the staff member has performed the duties as detailed in the employment contract.

16. An employment contract may take the form of a continuous contract, with no fixed termination date but with clauses on termination arrangements. If it is a fixed-term contract, the length of the contract should not extend beyond one month after the term of LegCo, and provisions for early termination should be included.

17. The names and salaries of staff must be provided in the Member's claim for reimbursement, and the claim is made available for public inspection. A copy of the employment contract must also be deposited with the Secretariat, but it is not for public inspection unless it is for fulfillment of the requirement under paragraph 15(c) above. If a staff member's Hong Kong identity card number is not shown on the employment contract, it should be supplied separately to the Secretariat in writing. A sample employment contract for Members' reference is in **Appendix II**. In addition, since the work of a Member's staff is closely related to the duties of the Member, a code of conduct for the staff's observance should be incorporated in the employment contract. A code of conduct, as recommended by the Independent Commission Against Corruption, is in **Appendix III**.

18. A Member is not allowed to employ his/her relatives as staff. The definition of "relative" is in **Appendix IV**.

19. Employment of staff in the name of a company is not allowed.

20. Members are not allowed to enter into a joint employment contract with a person and claim reimbursement for remuneration and fringe benefits paid to that person.

21. For reimbursement of advertising expenses related to staff recruitment, a copy of the recruitment advertisement must accompany the reimbursement claim for advertising expenses. The recruitment advertisement should indicate that the staff is to assist a Member in LegCo business.

22. Employment of part-time and temporary staff is subject to the same conditions as set out in paragraphs 13 to 21 above. If the staff member concerned is not qualified for enrolment with a mandatory provident fund scheme (other than for age reasons), no submission of Declaration Form I is required.

### ***Use of Consultancy Service***

23. A Member may engage a consultant, on a regular or ad hoc basis, to assist him/her in LegCo business, such as undertaking research and preparing speeches. To avoid conflict of interest, the use of consultancy service is subject to the following —

- (a) the Member should enter into an individual contract with the consultant he/she employs;
- (b) the contract should specify clearly the scope of the services provided;
- (c) the name of the consultant and the costs of the consultancy should be included in the reimbursement claims and made available for public inspection;
- (d) a copy of the contract should be deposited with the Secretariat (it will not be available for public inspection);
- (e) the Member or his/her relatives should not have any interests in the consultant employed; and
- (f) the Member should not engage as his/her consultant his/her political party or any company/organization in which his/her political party has a financial interest or is in control.

24. As a consultancy contract is not available for public inspection, the precise nature and scope of the consultancy work should be disclosed on the invoices submitted for reimbursement.

### ***Expenses on Publicity Items***

25. A Member may claim the office operation expenses reimbursement on publicity items for the purpose of publicizing his/her website, email addresses, and the addresses, telephone numbers, fax numbers, office hours and appointment arrangements of his/her office in Citibank Tower, Central Government Offices (CGO), West Wing and/or his/her district offices for the purpose of conducting LegCo business. No publicity relating to a political party is allowed, except the name and logo of the political party to which the Member belongs. Items normally claimable and their approved quantities are set out in **section B of Appendix I**.

### ***Expenses on Activities***

26. A Member may use the office operation expenses reimbursement to pay for the publicity and organization of activities relating to LegCo business. "LegCo business" refers to activities relating to the exercising of the powers and functions of LegCo as stipulated in Article 73 of the Basic Law, general policy issues as well as matters which **have been raised or discussed** at meetings of LegCo and/or its committees. Items claimable are detailed in **section C of Appendix I**.

### ***Member's Personal Insurance***

27. A Member may use the office operation expenses reimbursement to meet his/her personal medical and dental insurance payments.

### ***Office Accommodation Expenses***

28. A copy of the tenancy agreement for each leased office should be deposited with the Secretariat for public inspection.

29. A Member must not claim reimbursement to lease office accommodation in which he/she or his/her relatives have any financial interest. As a transitional arrangement, rental reimbursement may be claimed until the expiry of such tenancy agreements, provided that **Declaration Form II** as required under paragraph 31 below is submitted. In the case of an open-ended tenancy agreement, the transitional arrangement will end on 30 September 2006.

30. A Member should avoid leasing his/her district office from his/her business associates or affiliated organizations (including but not limited to the Member's employer, political party and constituency association) as far as practicable.

31. Should a Member consider it appropriate to lease office accommodation from the parties mentioned in paragraph 30 above, having regard to his/her constituents' interest or the public interest, the Member must disclose his/her relationship with the landlord, provide justifications for leasing the property and obtain independent valuation of the market rental from a qualified property valuer. **Declaration Form II** should be submitted for this purpose when reimbursement for the rental concerned is claimed for the first time.

32. If a Member shares office accommodation with another person who is not using the office for LegCo business, a layout plan with measurements delineating the areas used by the respective occupants and the common areas of the office should be submitted to the Secretariat. The reimbursable rental should normally be in proportion to the area used, unless some other justifiable factors exist. **Declaration Form III** should be submitted for this purpose when reimbursement for the rental concerned is claimed for the first time.

### **Claim Form**

33. **Form A** should be used for claiming the office operation expenses reimbursement.

## **Entertainment and Travelling Expenses Reimbursement**

### **Amount**

34. Up to **\$150,760** a year (i.e. from October to September next) can be reimbursed on a non-accountable basis except for the portion used to meet staff expenses as explained in paragraph 40 below.

### **Claimable Items**

35. Entertainment, liaison or travelling expenses incurred by a Member or his/her staff in or outside Hong Kong for LegCo business may be reimbursed against claims certified by the Member without supporting documents.

36. Although no supporting documents such as receipts have to be submitted, Members should only claim what they have actually expended.

37. Entertainment expenses refer to expenses for the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

38. Liaison expenses include expenses on —

- (a) floral arrangements and wreaths sent on ceremonial occasions;
- (b) functions organized by the Secretariat on LegCo premises for liaison with non-LegCo Members; and
- (c) compliments advertised in publications.

39. Travelling expenses refer to —

- (a) local travelling and vehicle running expenses; and
- (b) travelling and accommodation expenses outside Hong Kong.

40. A Member may use up to 50% of the entertainment and travelling expenses reimbursement to meet staff expenses on an accountable basis. Future associated severance payments may be reimbursed out of the office operation expenses reimbursement and winding up expenses reimbursement.

### **Claim Form**

41. **Form A** should be used for claiming the entertainment and travelling expenses reimbursement.

### **Postage**

42. As pointed out in paragraph 12(h) above, reimbursement for postage expenses may be claimed under a Member's office operating expenses reimbursement. Apart from this, an alternative way of claiming reimbursement for postage expenses incurred by a Member on correspondence related to LegCo business, except bulk mailing, is to submit a claim for such reimbursement from the Secretariat's own operational expenses account. For such claims, **Form B** should be submitted together with **Form A**. For postage claimed using Form B, Members are advised to keep copies of the correspondence for audit purposes.

## Setting Up Expenses Reimbursement

### Amounts and Conditions

43. A Member is eligible for expenses reimbursement of up to **\$150,000** in a term for setting up his/her offices, including the one provided by the Secretariat. However, a Member who has claimed any setting up expenses reimbursement in the previous term may only claim up to **\$75,000** in the current term for the purposes of renovation, removal, expansion and/or setting up of additional offices and for the addition or replacement of equipment and furniture. If the Member has to close down an existing district office to set up a new one owing to the expiry of tenancy agreement or other valid reasons, he/she may claim up to **\$150,000** (instead of \$75,000) in the current term.

### Claimable Items

44. Items claimable under the setting up expenses reimbursement are —

- (a) fitting-out;
- (b) capital items (equipment and furniture as defined in paragraph 73 below);
- (c) basic stationery items (up to \$2,000 for new offices only); and
- (d) other associated expenses, including fixtures, software, installation charges, as well as minor tools, furniture and equipment below \$1,000 each.

Items claimable and the approved quantities set out in **section A of Appendix I** are applicable to the furniture and equipment items in (b) and (d) above.

### Claim Form

45. **Form C** should be used for claiming the setting up expenses reimbursement.

## Information Technology and Communication Equipment Expenses Reimbursement

### Amount and Conditions

46. A Member may claim reimbursement of up to **\$100,000** for the purchase or upgrading of information technology and communication equipment in each term. Reimbursement should only be claimed for non-recurrent items or one-off contracts, including the employment of consultants and training of staff for setting up websites and telecommunication equipment.

47. Claimable items and their approved quantities are detailed in **section A of Appendix I**.

### Claim Form

48. **Form D** should be used for claiming the information technology and communication equipment expenses reimbursement.

## Winding Up Expenses Reimbursement

### Scope

49. Winding up expenses reimbursement is claimable when a Member ceases to be a Member of LegCo, either because he/she chooses not to stand for re-election or for reasons over which he/she has no control such as death, serious injury, defeat in an election or the dissolution of LegCo.

50. A Member who resigns or who is removed from LegCo under Article 79(6) of the Basic Law<sup>(Note)</sup> is not eligible for the winding up expenses reimbursement.

### Amount and Conditions

51. The reimbursement consists of two components —

---

<sup>(Note)</sup> “When he or she [a Legislative Council Member] is convicted and sentenced to imprisonment for one month or more for a criminal offence committed within or outside the [Hong Kong Special Administrative]Region and is relieved of his or her duties by a motion passed by two-thirds of the members of the Legislative Council present;” —Article 79(6) of the Basic Law

- (a) an amount not exceeding one-twelfth of the annual office operation expenses reimbursement (i.e. **\$111,374**), of which \$10,000 may be claimed against certified claims of expenses without supporting documents, to cover all expenses other than severance payments; and
- (b) an amount with no pre-set ceiling to cover the actual severance payments made in accordance with the provisions of the Employment Ordinance to staff employed using the office operation expenses reimbursement and to staff employed using up to 50% of the entertainment and travelling expenses reimbursement.

52. The \$111,374 in paragraph 51(a) may also be used to meet contractual liabilities arising from the premature termination of agreements before the end of a LegCo term for reasons beyond a Member's control. The liabilities include —

- (a) payment in lieu of notice; and
- (b) compensation to the landlord of a district office financed by the office operation expenses reimbursement, provided that the Member has informed the landlord as early as possible of his/her intention to terminate the tenancy agreement prematurely, so as to enable the landlord to identify new tenants and reduce as far as possible the Member's contractual liabilities.

53. Notwithstanding paragraph 51(b), the amount with no pre-set ceiling may also be used to compensate a Member's staff employed by him/her for less than two years. The payment should be calculated on a pro rata basis with reference to the calculation method stipulated by the Employment Ordinance for severance payments.

54. A severance payment is reimbursable only if the termination of service is made and settled not later than one month from the date a Member ceases office.

55. During the winding up period, non-essential services should be curtailed as early as possible and acquisition of stores should be limited to quantities which are essential for the winding up. To limit the reimbursable amount for payment in lieu of notice to a reasonable level, a Member should serve notice for termination of employment to his/her staff as soon as possible and in no event later than seven days after the date of his/her cessation of office is known to him/her. Moreover, expenses for on-going services (including staff support) for any period beyond one month after the cessation of office will not be reimbursed.



56. All winding up expenses should be consolidated in one claim, which should be made within the time limit as set out in paragraph 84.

## **Claim Forms**

57. **Form E** should be used for claiming the winding up expenses reimbursement.

58. Alternatively, Members may request the Secretariat to settle the following expenses directly with the recipients, by using **Form F** —

- (a) staff salaries;
- (b) office rentals;
- (c) consultancy fees;
- (d) compensations for early termination of contracts; and
- (e) severance payments.

## **General Principles**

### **Procurement**

59. A Member or his/her staff should not engage a contractor or supplier in whose business he/she or any of his/her relatives has a financial interest or is in control. If this cannot be avoided, they should declare interest and document the justifications for doing so (e.g. sole supplier, more competitive price from bulk purchase), using **Declaration Form IV**.

60. For procurement of goods or services above \$20,000, Members should obtain at least three quotations for price/performance comparison. These quotations should be in written form whenever practicable. **Declaration Form IV** should be submitted when reimbursement is claimed.

### **Supporting Documents**

#### ***Documents Pertinent to Reimbursement***

61. A Member should only submit supporting documents for the claimable amount under an accountable reimbursement. In the event that a Member submits supporting documents for amounts in excess of the claimable ceilings, the supporting documents will be returned to the Member for a decision on which items of expenditure he/she wishes to claim partially.

### ***Originals***

62. **Originals** of supporting documents such as invoices, receipts, etc, must be personally certified by the Member and submitted to the Secretariat when claiming reimbursement for any accountable expenses. In case an expense is shared by two or more parties whereby the original invoice and receipt are not available for one or more Members involved to substantiate their individual claims, the Member who submits the originals (or the party who retains the originals) should certify the amount shared by each party; a Member without the originals should substantiate his/her claim by certifying photocopies of these certified originals.

### ***Receipts***

63. For any payment not substantiated by a receipt, a Member should include the following statement on the supporting document: "Receipt is not available and I certify that payment was made on (date)." If a periodic payment is not substantiated by a receipt but reflected in the payment request of the next payment period, a copy of the request should be submitted to substantiate the payment.

### ***Purchases Not Made in the Name of the Member or the Member's Office***

64. Unless practically infeasible, invoices and receipts should be addressed to the Member or the Member's Office. For reimbursement of purchases which are billed to a staff member of a Member or a third party, the Member concerned must certify with an explanation that he/she has reimbursed the staff member or third party concerned.

### ***Particulars to be Provided on Supporting Documents***

65. Supporting documents for reimbursement of expenses over \$3,500 must bear the name and address of the supplier, date of purchase and full description of the item concerned. To withhold the address or any other personal data of a supplier (who is an individual) from public inspection, a Member may provide them separately in writing to the Secretariat.

### ***Provision of Samples of Publications and Publicity Items***

66. In making claims for bulk printing expenses, a sample of the printed material must be submitted to the Secretariat, together with the reimbursement claim forms. In the case of a signboard, hoarding or banner, a copy of the artwork should be provided.

## **Public Inspection**

67. All claim forms, declaration forms and supporting documents, except employment contracts (unless paragraph 15(c) above applies), consultancy agreements and separately provided addresses and Hong Kong identity card numbers of staff and suppliers (who are individuals), are available for inspection or photocopying by the public. In this connection, Members are reminded to obtain the consent of their staff and suppliers for their identity, invoices, receipts and other related documents to be made available to the public. Personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) not intended to be available for public inspection should be blocked out before the supporting documents are presented to the Secretariat.

## **Time of Expenditure**

68. Claimable expenditure is deemed to be expended at the time payment is made by the Member or his/her staff. Credit card expenditure is deemed to be expended at the time a credit card slip or an order form is signed. Any unclaimed balance of one year **cannot** be used to reimburse expenses of another year.

69. In respect of term payments covering a period of time beyond the current year, a Member may either claim full reimbursement in the year of payment, or spread his/her claim over the current and subsequent years to which the term payments relate. If the period covered by such term payments extends beyond the term of office of a Member, reimbursement will be limited to the period up to one month after his/her term of office. In case the Member is re-elected, the prepaid unreimbursed portion may be reimbursed according to the guidelines in force at the time.

## **Funds Set Aside**

70. A Member may set aside funds from his/her office operation expenses reimbursement to pay for staff benefits such as contract bonus, double-pay or end-of-agreement gratuity, which are payable at a future date. The funds set aside should be based on, and not exceed, the Member's contractual and other legal obligations towards his/her staff. The funds will be paid to the Member without supporting documents.

71. Upon actual payment of the funds set aside and/or departure of any staff member, **Form G** should be presented to the Secretariat, together with any excess funds and receipts or other supporting documents. Excess funds set aside in previous years cannot be used to reimburse expenses other than those referred to in paragraph 70 and incurred in the year when the funds were set aside.

## **Minimization of Financial Commitments**

72. A Member should make every effort to negotiate with his/her landlords to insert a break clause in his/her tenancy agreements. A Member should not purchase capital items (as defined under paragraph 73 below) through hire purchase arrangements. Any commitment extending beyond one month after the Member's term of office should be avoided.

## **Capital Items**

73. A capital item refers to any piece of equipment or furniture costing \$1,000 or more and with a life span of over one year, but excluding software and fixtures such as built-in cabinets and wall-mounted air-conditioners. Installation charges should not be capitalized.

74. When a Member ceases office, he/she is required to return to the Secretariat those capital items for which reimbursement of expenses has been claimed. Before returning an item to the Secretariat, the Member must settle all outstanding payment/liability in respect of the item. Outgoing, returning or incoming Members may purchase these capital items at market value to be set by the Secretariat. An outgoing Member has the first option to purchase his/her capital items, but he/she has no right to purchase capital items returned by other Members. In the event that a capital item was not fully reimbursed, the market price payable by the outgoing Member is discounted by the proportion of acquisition price borne by him/her personally.

75. For ease of valuation at the time when a Member ceases office, full description of capital items and prices of the constituent parts should as far as possible be provided at the time reimbursement of procurement expenses is claimed. Any upgrading or replacement should be detailed in **Form H** when claiming the relevant expenses.

76. A Member is required to forward an inventory list of capital items in January and July using **Form I**, showing the position as at the end of the preceding month.

## **Return or Purchase of Capital Items**

77. When he/she ceases office, a Member should use **Forms J** and **K** to notify the Secretariat of the capital items that he/she will return or purchase. **Form J** may also be used to notify the Secretariat in case surplus capital items have to be returned.

## **Shared Expenses**

78. Only expenses (e.g. sharing of telephone lines, computer systems, photocopiers and electricity) that are individually identifiable, clearly separable from private purposes and wholly attributable to LegCo business may be claimed.

79. Subject to paragraph 81 below, if an expense referred to in paragraph 78 above is incurred jointly with other parties or in a Member's other capacities, the Member must certify that the amount claimed is no more than the fair portion related to LegCo business and it has not been or will not be reimbursed from any other sources. The basis of sharing should be indicated.

80. In case a Member shares his/her office with another person, rental and other expenses should be shared proportionally on a consistent basis from month to month. An agreement on the proportional responsibility for items shared should be signed by the parties concerned and the Secretariat notified of any changes.

81. A Member may only share the procurement expenses of a capital item with another Member or other Members. The Members concerned (i.e. the group) should sign an undertaking agreeing to the following disposal arrangements when any Member of the group ceases office —

- (a) If an out-going Member of the group wishes to purchase the item, he/she will seek the agreement of other Members of the group and pay to the Secretariat the market price of the item.
- (b) If re-elected or remaining Member(s) of the group wish(es) to retain the item for use in relation to LegCo business, the Member(s) will seek the agreement of the outgoing Member(s) of the group and pay to the Secretariat an amount equivalent to the out-going Member(s)' share of the item at market price.
- (c) If Members of the group fail to reach an agreement regarding the disposal of the item within two months, the Secretariat may take possession of the item in question without payment.

## **Payment to Members Arising from Situations, Activities or Assets for which Expenses have been Reimbursed**

82. There may be circumstances where a Member receives payment arising from situations, activities or assets for which expenses have been reimbursed (e.g. compensation in respect of an employee's work-related accident or other types of insurance coverage; salary in lieu of notice paid by an employee who has resigned; or sale proceeds from the disposal of a capital item). The Member is required to use the payment on LegCo business. A separate account giving details of the payment received and subsequent usage of the payment, with supporting documents, must be submitted to the Secretariat. Otherwise, the payment must be returned to the Secretariat.

## **Time Limits for Making Reimbursement Claims**

### ***Office Operation Expenses, Entertainment and Travelling Expenses, Postage, Setting Up Expenses, and Information Technology and Communication Equipment Expenses***

83. Except for winding up expense reimbursements, reimbursement claims should be submitted within **three months** from the month of expenditure. However, if an advance of operating funds is obtained pursuant to paragraphs 90(b) or 90(c) below for setting up expenses or information technology and communication equipment, the relevant supporting documents must be submitted together with Form C or Form D within three months from the date of advance.

### ***Winding Up Expenses***

84. In respect of the consolidated claim for winding up expenses made according to paragraph 56 above, the first payment and the last payment should not be more than **six months** apart and reimbursement should be sought within **three months** from the date of the last payment.

### ***Appeal***

85. Any Member whose claims are not made in accordance with the stipulated time limits may be required to give an explanation to the Committee on Members' Operating Expenses, which will determine whether the claims should be processed.

### **Non-reimbursable Items**

86. Examples of non-reimbursable items are given as follows :
- (a) refundable deposits;
  - (b) penalties;
  - (c) entertainment expenses solely for the Member himself/herself, his/her staff, other Members and/or their staff, unless specifically allowed by The Legislative Council Commission;
  - (d) cooking utensils and appliances (other than kettle, distilled water dispenser, refrigerator and microwave oven);
  - (e) decorative items for Member's Office such as paintings, photo frames and flowers;
  - (f) greeting cards, Christmas cards, etc;
  - (g) training of personal skills for the Member himself/herself; and
  - (h) sponsorship.

### **Adjustments**

87. Reimbursement ceilings for office operation expenses, entertainment and travelling expenses and winding up expenses are subject to annual adjustment in October, in accordance with the movement of Consumer Price Index (C).

### **Compliance Audit**

88. Members' reimbursement claims are subject to compliance audit annually. In this regard, Members are required to provide assistance when field audits are carried out, such as provision of records, explanations and justifications. For this purpose, records should be kept for at least two years.

## **Advance of Operating Funds**

### **Scope**

89. Members may obtain advance of operating funds to finance their office operation, entertainment and travelling expenses, setting up expenses and expenses on information technology and communication equipment.

### **Amounts and Conditions**

90. The ceilings for advances are :

- (a) office operation expenses plus entertainment and travelling expenses — amount equivalent to two months' reimbursable amount (i.e. \$247,875);
- (b) setting up expenses — entitlement as stipulated in paragraph 43 (i.e. \$75,000 or \$150,000), less any reimbursement already claimed; and
- (c) information technology and communication equipment — \$100,000, less any reimbursement already claimed.

91. The operating funds advanced for office operation, entertainment and travelling expenses will be used to offset the reimbursable expenses of the month immediately before a Member ceases office and any reimbursable winding up expenses. A Member who has obtained operating funds for setting up his/her offices or for the procurement of information technology and communication equipment must submit relevant supporting documents within three months from the date of advance.

92. Any funds advanced in excess of requirement should be returned to The Legislative Council Commission as soon as they are known to the Member.

### **Application Form**

93. **Form L** should be used to apply for any advance or increase in advance up to the specified ceilings.

\* \* \* \* \*



## CLAIMABLE ITEMS AND QUANTITY LIMITS

Procurement of the following items may be reimbursed. However, the total number of items procured must not exceed the approved quantity.

## Section A

<i>EQUIPMENT AND FURNITURE</i>	<i>APPROVED QUANTITY</i>
Photocopying machine and accessories -paper feeder -document sorter Cheque writer Franking machine Paper shredder Folding machine * Overhead projector Slide projector * Wall screen Document binder Document duplicator/Speed printing machine Safe Laminator Water purifier Dehumidifier Sound system with microphones and loudspeakers Vacuum cleaner Water dispenser Refrigerator Microwave oven Conference table * Video conferencing equipment (including ancillary video cameras and other accessories) * Computer server and related accessories	not more than one for each office
* Camera (digital and otherwise) First aid kit Television set Video cassette recorder VCD/DVD player MD/MP3 player Typewriter * Scanner	not more than two for each office
Electric fan Air-conditioner Loudhailer Walkie-talkie White board Sofa * Electronic display	not more than three in each office
Calculator * Printer * Mobile phone * Pager * Integrated mobile computing device/Portable digital assistant Electronic dictionary/diary	not more than one for each staff and Member
* Telephone set with telephone line installation	not more than one set for each staff and Member plus five
* Hand-held video camera * Car phone	not more than one for each Member
* Facsimile machine * Answering machine	not more than two for each office plus two

\* Items that may be reimbursed with the information technology and communication equipment expenses reimbursement

* Computer hardware and accompanying software Computer table and rack	not more than two sets for each staff and Member
Fire extinguisher	as required by law
File cabinet	not more than five for each staff and Member plus additional five for each office
Chair	not more than one for each staff and Member plus additional fifty chairs for activities
Desk/folding table/work bench	not more than one for each staff and Member plus four for each office

*Section B*

<i>PUBLICITY ITEMS</i>	<i>APPROVED QUANTITY</i>
Signboard/light box with - name - address of the Member's office - telephone and fax numbers of the Member's office - office hours - website and email addresses to be placed in the same building of the Member's office	not more than the number of entrances in a building in which the office is located plus five
Invitation card for each activity	not more than 10,000 pcs
Display board/banner with - name - address of the Member's office - telephone and fax numbers of the Member's office - office hours - website and email addresses	no limit

*Section C*

<i>ACTIVITIES</i>	<i>CLAIMABLE ITEMS</i>
Seminar Press conference Exhibition Quiz Competition Office opening ceremony	Rent of venue Hire of extra staff Banners Display boards Hire of sound system Set up charges Cleaning up charges Transportation for attendance and equipment Printing of handouts Printing of admission tickets Printing of leaflets Hire of video display equipment Advertisements Souvenirs with little or no resaleable value
Telephone survey Signature collection campaign Questionnaire	Hire of extra staff Printing charges Postage

Remarks : Recreational activities such as picnic, cruise and barbecue are not reimbursable.

(Sample)

EMPLOYMENT CONTRACT <sup>(Note)</sup>**Acceptance of Offer of Appointment**

I, \_\_\_\_\_ (English) \_\_\_\_\_ (Chinese),  
 (HKID Card No. \_\_\_\_\_) accept the appointment by Hon \_\_\_\_\_  
 to the post of \_\_\_\_\_ with Hon \_\_\_\_\_'s Legislative Council (LegCo) Member's  
 Office on the following terms and conditions :

1. Job Description : e.g. i) community liaison activities, *or*  
 ii) research and information gathering, *or*  
 iii) secretarial/clerical work, and  
 iv) any other ancillary duties.
2. Commencement of Duty : \_\_\_\_\_, 20 \_\_\_\_\_
3. Probation Period : \_\_\_\_\_ months
4. Monthly Salary : HK\$ \_\_\_\_\_
5. Mandatory Provident Fund : contributions from employer and employee will be made  
 in accordance with the provisions of the Mandatory  
 Provident Fund Ordinance.
6. Overtime : e.g. i) overtime is payable at the rate of \_\_\_\_\_ % of the  
 monthly basic salary per hour,  
 ii) time-off in lieu of overtime allowance, subject to  
 the exigencies of the workload of the office, *or*  
 iii) no overtime allowance.
7. Double Pay : e.g. i) one month's basic salary, payable before the  
 Chinese New Year,  
 ii) one month's basic salary, payable on the  
 anniversary of every year's service, *or*  
 iii) none.
8. Gratuity e.g. i) upon satisfactory completion of the contract on  
 \_\_\_\_\_, \_\_\_\_\_% of the basic salary earned  
 during the service period will be payable, *or*  
 ii) none.
9. Normal Working Hours : e.g. i) Mondays to Fridays: 9:30 a.m. to 5:30 p.m.  
 Saturdays: 9:30 a.m. to 1:00 p.m., *or*  
 ii) \_\_\_\_\_ hours per week.
10. Annual Leave : \_\_\_\_\_ working days.  
 (to be taken after one full year of service)

11. Medical Benefits : e.g. i) in accordance with current medical insurance available to staff of this comparable rank at this office,  
ii) not more than \$\_\_\_\_\_ a month, on the production of a medical practitioner's receipt, *or*  
iii) none.
12. Termination of Employment : e.g. i) subject to (ii), this employment may be terminated by giving \_\_\_\_\_ month's/months' notice or salary in lieu of notice;  
ii) this employment will end \_\_\_\_\_ days/weeks/month (*period not exceeding one month*) after Hon \_\_\_\_\_ ceases to be a Member of the Legislative Council.
13. Adjustment of Salary : on performance basis, with reference to the inflation linked adjustment of Members' office operation expenses reimbursement as determined by the Legislative Council Secretariat.
14. Code of Conduct : compliance with the Code of Conduct attached.
15. Confidentiality : all information pertaining to the operation and business of Hon \_\_\_\_\_'s Legislative Council Member's Office that are in the employee's knowledge shall be kept confidential throughout and after his/her employment with Hon \_\_\_\_\_.

---

Signature of Employee

---

Date

**I agree to employ the above-named person on the terms and conditions stated above, for supporting my work related to the business of the Legislative Council.**

**\* The appointee is also in the employ of my *business/relative/business associate/affiliated organization (please see paragraph 15(a) of the Reimbursement Guide, and specify the relationship with and the name of the third party)*. The remuneration offered by this appointment is based on the arrangement that not less than \_\_\_\_ % (or \_\_\_\_ hours) of the appointee's work is related to my LegCo duties.**

---

Signature of Member

---

Date

*(Note) This sample is for reference only. Members may determine the appropriate terms for their staff, bearing in mind the reimbursement ceilings in the Reimbursement Guide.*

*\* Paragraph to be excluded from the employment contract if inapplicable.*

**CODE OF CONDUCT FOR STAFF EMPLOYED  
BY LEGISLATIVE COUNCIL MEMBERS**

**Aim**

This Code aims at setting out the standard behaviour expected of Members' staff in the handling of resources and information obtained through their official capacity. Particular emphasis is placed on assisting Members' staff in avoiding potential conflict of interest situations and in upholding the high standard of conduct expected of them in carrying out their duties.

**Conduct and Behaviour**

Integrity

2. It is imperative that Members' staff are committed to the cardinal principles of honesty and integrity, and that their conduct and public behaviour would not bring discredit upon LegCo and the Member they serve. In particular, they should adhere to the principles of fairness, transparency and accountability when using the LegCo Members' Operating Expenses Reimbursements (OER) for purchases.

Misuse of official position

3. Staff should not misuse their position as Members' assistants for personal gain. Examples include favouring one's relatives or friends in a recruitment process, or leaking information and giving undue favour to a particular supplier during a procurement process. Such actions may lead to disciplinary action or even prosecution.

Compliance with this Code

4. It is the personal responsibility of every staff member to understand and comply with this Code which applies equally to full-time, part-time and temporary staff.

*(Note) References to the masculine gender apply equally to the feminine gender.*

## Reporting of cases

5. In cases of non-compliance or suspected corruption or criminal offences, any person in the know should report to the LegCo Member concerned and, where appropriate, to the Independent Commission Against Corruption promptly in strictest confidence.

## **Acceptance and Offering of Advantages**

### Advantage

6. Staff of LegCo Members should not solicit, accept or offer any advantage in connection with the official dealings with the Member's office. Under Section 9 of the Prevention of Bribery Ordinance (Cap. 201), an employee of an organisation who solicits or accepts an advantage in connection with his work without permission of the employer may have committed an offence. The term "advantage" is defined in the Ordinance (see **Annex I**). It includes almost anything of value such as money, gift, commission, loan, fee, reward, office, employment, contract, service or favour.

### Entertainment

7. Acceptance of lavish and frequent entertainment from persons with whom the Member's Office (MO) has official dealings should be avoided. Such persons include, but are not limited to, the media, members of the public, suppliers or any other persons who might benefit unfairly through providing such entertainment activities. Declining invitations to such would free the staff member from any obligation to the offeror. An extract of the definition of "entertainment" from the Prevention of Bribery Ordinance is in **Annex I**.

### Free gifts and services

8. Free gifts and services are a kind of "advantage". Staff should decline the offer of such if the acceptance could affect their objectivity in conducting the business of the MO or lead to complaints of bias or impropriety.

9. Staff who have received gifts or souvenirs presented to them in their official capacity should seek written permission from their employer, whether they wish to retain such items or not. The form in **Annex II** should be used for this purpose. As regards the disposal methods for the gifts or souvenirs received, due consideration should be given to the alternatives set out in the form.

### **Conflict of Interest**

10. Situations which give rise to Members or their staff being perceived to have benefited a closely related party or personally should be avoided.

11. Staff should not, in their capacity as assistants of LegCo Members, use their official position or any information made available to them in the course of performing their duties, to seek to influence another person in furtherance of their private interest.

12. For the purposes of this Code, a conflict of interest situation arises where the “private interests” of a staff member compete or conflict with the interests of the public at large or the staff member’s official duties. “Private interests” include the financial and other interests of the staff member himself; his family or other relatives; his personal friends; the clubs and associations to which he belongs; any other groups of people with whom he has personal or social ties; or any person to whom he owes a favour or is obligated in any way. There are circumstances in which a tie of kinship or friendship, or some other association or loyalty which does not give rise to a financial interest, can influence the judgement of the staff member in discharging his official duties, or may reasonably be perceived as having such an influence. A staff member’s duty to declare a conflict of interest therefore goes beyond the disclosure of interests that are definable in pecuniary terms.

### Handling of conflict of interest situations

13. Staff should ensure the business conducted by the MO is done in an open, impartial, reasonable and acceptable manner. Conflict of interest situations should be avoided, but when they do happen, they should be declared and resolved in favour of the public interest.

14. Declarations of interest should be in writing, where appropriate, using the declaration forms in the “Guide for Reimbursement of Operating Expenses for Members of the Legislative Council”.

15. Special attention should be given to procurement of goods and services, staff recruitment as well as delivery of the MO's services. For example, a conflict of interest situation may arise if a staff member takes part in the selection of suppliers, where one of the bidders under consideration is his family member, relative or personal friend. When there is perceived or actual conflict of interest, the staff member should abstain from dealing with the matter in question and report the situation to the Member, who may reassign the task to another staff.

### **Handling of Assets and Resources**

16. Staff who have access to assets acquired with public funds and resources obtained through their official capacity should ensure that they are only used for the intended purpose of performing Members' duties. Misappropriation of such properties for personal gain, such as personal use or unauthorized resale, is prohibited.

17. There should be a clear separation between resources for private business and those for LegCo business of the MO. Intermingling of such assets and resources should be avoided.

### **Handling of Confidential Information**

#### Use of (privileged) information

18. Staff should not take advantage of, or benefit from, information that is obtained in connection with their duties as Members' assistants, especially when dealing with information not generally available to the public. In their official capacity at the MO, staff should only ask for information required for carrying out their duties and should not seek information for private use or personal interest.

#### Safekeeping of confidential information

19. Staff who have access to or are in control of confidential information should at all times ensure that such information is properly safeguarded to avoid the misuse or abuse of it. Disclosing confidential information without authorization from the Member concerned or disclosing it in return for monetary awards is strictly prohibited. Moreover, the Personal Data (Privacy) Ordinance (Cap. 486) should be observed to avoid unauthorized disclosure of any personal data.



## **Other Employment**

20. Staff should avoid other employment which has a conflict of interest with their role as assistants of LegCo Members. For full-time staff (who normally work not less than 30 hours a week) of LegCo Members, if they wish to take up paid outside work, whether on a part-time or temporary basis, they should seek the approval of their employer.

## **False Claims**

21. As public money is involved, it is important to ensure that reimbursements are claimed in an accountable manner. Making false claims is a criminal offence.

## **Diligence**

22. Since Members' staff are employed with public funds, they should discharge their duties and responsibilities with due care and diligence, in accordance with their employers' established procedures and instructions. They should be committed and dedicated to their work and exercise every effort to promote the public interest.

\* \* \* \* \*

Legislative Council Secretariat  
September 2005

## INTERPRETATION OF “ADVANTAGE” AND “ENTERTAINMENT”

“**Advantage**” means –

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) the exercise or forbearance from the exercise of any right or any power or duty; and
- (f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), particulars of which are included in an election return in accordance with that 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, or provided at the same time as, such provisions.

*[Extracted from Section 2 of the Prevention of Bribery Ordinance (Cap. 201)]*

(Sample)

**REPORT ON GIFTS PRESENTED TO AN EMPLOYEE  
IN HIS/HER CAPACITY AS AN EMPLOYEE OF A MEMBER'S OFFICE**

To : \_\_\_\_\_ (Member)

**Part I (To be completed by the recipient)**

I wish to report the following gift(s) presented to me in my capacity as an employee of the Member's office on the following occasion (please specify the event and date) -

\_\_\_\_\_

\_\_\_\_\_

Details of gift(s) presented –

Gift	Estimated value (\$)	Offeror
(a)		
(b)		
(c)		

Additional information (if any) –

\_\_\_\_\_

The following disposal method(s) is/are recommended –

- Gift item(s) \_\_\_\_\_ to be returned to the offeror.
- Gift item(s) \_\_\_\_\_ to be retained personally by the recipient.
- Gift item(s) \_\_\_\_\_ to be shared among staff in the recipient's office or \_\_\_\_\_\*.
- Gift item(s) \_\_\_\_\_ to be displayed in the recipient's office or \_\_\_\_\_\*.
- Gift item(s) \_\_\_\_\_ to be donated to an outside organization (name : \_\_\_\_\_).
- Gift item(s) \_\_\_\_\_ to be used at the office's social functions as lucky draw prize(s).

Name of recipient \_\_\_\_\_ Signature \_\_\_\_\_

Post \_\_\_\_\_ Date \_\_\_\_\_

**Part II (To be completed by the Member)**

- The recommendation is approved.
- The recommendation is not approved. The gift should be \_\_\_\_\_.

Name of Member \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

- ✓ as appropriate                      \* delete whichever is inapplicable

## DEFINITION OF 'RELATIVE'

'Relative' means -

- (a) spouse (including a concubine);
- (b) any person with whom the Member is living in a regular union as if man and wife;
- (c) fiance, fiancée;
- (d) parent, step-parent, lawful guardian;
- (e) spouse's parent, spouse's step-parent, spouse's lawful guardian;
- (f) grandparent, great-grandparent;
- (g) child, ward of court;
- (h) spouse's child, spouse's ward of court;
- (i) grandchild;
- (j) child's spouse;
- (k) brother, sister;
- (l) spouse's brother, spouse's sister;
- (m) half-brother, half-sister;
- (n) step-brother, step-sister;
- (o) brother's spouse, sister's spouse;
- (p) brother's child, sister's child;
- (q) parent's brother, parent's sister;
- (r) parent's brother's spouse, parent's sister's spouse;
- (s) parent's brother's child, parent's sister's child.

CLAIM FOR REIMBURSEMENT OF OFFICE OPERATION EXPENSES/  
ENTERTAINMENT AND TRAVELLING EXPENSES  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

**SECTION I - DECLARATION AND CERTIFICATION**

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I, \_\_\_\_\_, Member of the Legislative Council (LegCo), certify that my expenses listed below arose out of my LegCo duties for the month of \_\_\_\_\_ 200\_\_\_\_. Please reimburse me with \$ \_\_\_\_\_ in respect of the following :

<u>Section</u>	<u>HK\$</u>	<i>(Note 1)</i>
II Staff expenses		
III Equipment and furniture		
IV Office accommodation expenses		
V Other operating expenses		
Office operation expenses	_____	(A)
VI Entertainment and travelling expenses		(B)
(after transferring \$ _____ to Section II for employing staff) <i>(Note 2)</i>		
Supporting documents and certified expenses amounted to	_____	(A)+(B)
	=====	

I hereby declare that :

- a) I have not claimed any reimbursement for paying my relatives, if any, employed in my office;
- b) I have not claimed any consultancy fees for services provided by my political party or any companies/organizations in which my political party has a financial interest or is in control; furthermore, my relatives and I have no interest in the consultants employed;
- c) I have not claimed any reimbursement for leasing any property in which I/my relatives have a financial interest, *save for unexpired tenancy agreements during the transitional period (para 29 of the Guide for Reimbursement of Operating Expenses for Members of the Legislative Council (hereafter referred to as Reimbursement Guide)), for which interest has been declared\** ;
- d) all staff remunerations reimbursed are for performance of duties and for time worked as detailed in the respective employment contracts;
- e) I have no objection to disclosing the individual staff remuneration acknowledgments for public inspection;
- f) the funds set aside for contractual and statutory employment benefits as listed in section II below are not excessive, and will not be used for any other purposes, and I undertake to return to the Secretariat all unspent amounts;
- g) items costing \$1,000 or more and with a life span longer than one year, but excluding software and fixtures, are all included in section III below; and
- h) this reimbursement claim complies in all respects with the Reimbursement Guide, which has been read and fully understood by me.

In addition,

- \* I have claimed reimbursement for paying my staff who are also in the employ of my business/relative/business associate/affiliated organization<sup>#</sup>. Details and justifications have been provided on Declaration Form I *attached/earlier\**;
- \* I have claimed reimbursement for leasing property owned by my business associate/affiliated organization<sup>#</sup>, and consider that it is in the interest of my constituents/the public to do so. Details and justifications have been provided on Declaration Form II *attached/earlier\**;
- \* I have claimed reimbursement for procuring goods/services from a supplier/service provider in whose business I or my relative(s) has a financial interest or is in control. Details and justifications are provided on Declaration Form IV attached.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\* delete where inappropriate      # affiliated organizations (e.g. employer, political party and constituency association)

(Note 1) Subject to Note 2 below, the yearly claimable ceilings from 1.10.2005 to 30.9.2006 are (A) \$1,336,490 and (B) 150,760. Any expenditure exceeding these ceilings are not reimbursable.

(Note 2) 50% of the entitlement for (B), i.e. \$75,380, can be transferred to (A) for the employment of staff. Any amount already claimed but subsequently redeployed for employing staff should be entered in brackets.

**SECTION II - STAFF EXPENSES**

	Name of staff	Payment				Funds set aside	Total	For Secretariat use
		Salary	Medical benefit	Insurance payment	Others	Gratuity/ double pay, etc		
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
	Total staff remunerations and benefits							
	Other staff expenses (please specify)							
	Recruitment expenses						\$	
							Total	(Note 3)
							\$	

(Note 3) Supporting documents (original invoices and receipts or other evidence of payment) should be enclosed. In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on the supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

<b>SECTION III - EQUIPMENT AND FURNITURE</b> (Capital items only; see quantity limits in Appendix I of the Reimbursement Guide)						
Item description	Quantity	Unit price	Total	Location (Office)	For Secretariat use	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
			Total	\$	(Note 3)	

<b>SECTION IV - OFFICE ACCOMMODATION EXPENSES</b>					
	Office 1	Office 2	Office 3	Office 4	For Secretariat use
Address(es) of Office(s)					
Rental (per month)					
Management fee (per month)					
Rates/Government rent (per quarter/per month*)					
Utility charges (i.e. water, electricity and gas)					
Others (please specify)					
Total : (Note 3)	\$	\$	\$	\$	

\* please delete where inappropriate

<b>SECTION V - OTHER OPERATING EXPENSES</b>			
Item description		Amount	For Secretariat use
1	Stationery		
2	Periodicals, newspapers and publications		
3	Printing ( <i>a sample should be attached</i> )		
4	Website expenses		
5	Consultancy services		
6	Communication expenses ( <i>including postage for bulk mailing, Internet, telephone and fax charges</i> )		
7	Expenses for publicity items and activities ( <i>see claimable items and quantity limits in Appendix I of the Reimbursement Guide</i> )		
8	Repair and maintenance		
9	Office insurance		
10	Member's personal medical and dental insurance premium		
11	Minor tools and equipment ( <i>see quantity limits in Appendix I of the Reimbursement Guide</i> )		
12	Software and fixtures ( <i>see quantity limits in Appendix I of the Reimbursement Guide</i> )		
13	Others (please specify)		
Total			(Note 3)
		\$	

<b>SECTION VI - ENTERTAINMENT AND TRAVELLING EXPENSES</b>		
Entertainment, liaison or travelling expenses paid (Non-accountable)	Portion of entitlement used for employment of staff (Accountable, yearly maximum \$75,380)	For Secretariat use
\$	\$	



CLAIM FOR POSTAGE  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

Name of Member	
Amount of postage used	
Month	
Number of mailings made in the month	

*Note : 1. Members should keep copies of the mailings for audit purposes.*

*2. Members should submit claims for postage together with claims for monthly office operation expenses reimbursement.*

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I certify that the above postage expenses, excluding bulk mailing, have been incurred by me on LegCo business, and the expenses have not been and will not be claimed under the office operation expenses reimbursement. Please reimburse the above mentioned sum to me.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

CLAIM FOR REIMBURSEMENT OF SETTING UP EXPENSES  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I, \_\_\_\_\_, hereby certify that the expenses listed below are essential for setting up my Legislative Council Member's office. Please reimburse \$ \_\_\_\_\_ under the setting up expenses reimbursement to me in respect of the following :

<u>Section</u>	<u>HK\$</u>
II Fitting-out expenses	(A)
III Basic stationery	(B)
IV Capital items	(C)
V Other associated expenses	(D)
	_____
	=====

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

**SECTION I - CLAIM BACKGROUND**

Q.1	Where is the office set up with this claim ? (one claim form for each office)	
Q.2	Claimed setting up expenses reimbursement in the last LegCo term in respect of - Secretariat-provided central office ? - district office ?	*Yes/No *Yes/No
Q.3	How much has been claimed in the current term ?	\$
Q.4	Set up new office due to - *expiry of tenancy agreement entered prior to the current term ? - *other acceptable reasons ? (please provide supporting documents and detailed information)	*Yes/No

*\* please delete where inappropriate*

<i>SECTION II - FITTING-OUT EXPENSES</i>						
Item description		Quantity	Unit price	Amount	Purchase date	<i>For Secretariat use</i>
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
				Total (A)		(Note)
					\$	

<i>SECTION III - BASIC STATIONERY</i>						
Item description		Quantity	Unit price	Amount	Purchase date	<i>For Secretariat use</i>
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
				Total (B)		(Note)
					\$	

(Note) Supporting documents (original invoices, receipts or other evidence of payment) should be enclosed. In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on the supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

<i>SECTION IV - CAPITAL ITEMS #</i>						
Item description	Quantity	Unit price	Amount	Purchase date	<i>For Secretariat use</i>	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
			Total (C)		<i>(Note)</i>	
				\$		

<i>SECTION V - OTHER ASSOCIATED EXPENSES (including fixtures, software, installation charges, as well as minor tools, furniture and equipment below \$1,000 each #)</i>						
Item description	Quantity	Unit price	Amount	Purchase date	<i>For Secretariat use</i>	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
			Total (D)		<i>(Note)</i>	
				\$		

# See quantity limits in Appendix I of the Reimbursement Guide  
(1/06)

CLAIM FOR REIMBURSEMENT OF  
INFORMATION TECHNOLOGY AND COMMUNICATION EQUIPMENT EXPENSES

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I, \_\_\_\_\_, Member of the Legislative Council (LegCo), certify that the expenses listed below were incurred by me on LegCo business. Please reimburse \$\_\_\_\_\_ to me in respect of the following :

<u>Section</u>	<u>HK\$</u>
I Capital items	(A)
II Non-capital items	_____ (B)
	===== (A)+(B)

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

SECTION I - CAPITAL ITEMS						
	Item description	Qty	Unit price	Amount	Purchase date	For Secretariat use
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
	Total (A)					(Note)
				\$		

(Note) Supporting documents (original invoices, receipts or other evidence of payment) should be enclosed. In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on the supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

**SECTION II - NON-CAPITAL ITEMS**

	Item description	Amount	<i>For Secretariat use</i>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
	Total (B)		<i>(Note)</i>
		\$	

CLAIM FOR REIMBURSEMENT OF WINDING UP EXPENSES  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I, \_\_\_\_\_, hereby certify that the expenses listed below were incurred and paid by me due to the cessation of my office. Please reimburse \$ \_\_\_\_\_ to me under the winding up expenses reimbursement for the following :

<u>Section</u>	<u>HK\$</u>
I Accountable expenses	(A)
II Accountable end-of-employment benefits other than severance payments (net of amounts previously set aside)	(B)
III Non-accountable expenses	(C)
(Note 1) _____	(A)+(B)+(C)
IV Severance payments	(D)
	_____
	=====

I further declare that :

- a) non-essential services have been curtailed as early as possible;
- b) acquisition of stores has been limited to quantities which are essential for the winding up;
- c) apart from compensation for the premature termination of contracts, if any, no reimbursement has been claimed for on-going services which extend beyond one month after the date of cessation of office; and
- d) the severance payments were not more than that required by the Employment Ordinance, or in the case of staff employed for less than two years, not more than the time-apportioned amounts calculated on the notional severance payments payable; and they were paid only to staff employed with the office operation expenses reimbursement or entertainment and travelling expenses reimbursement (but not more than 50% thereof).

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

**SECTION I - ACCOUNTABLE EXPENSES**

	Details of expenses with supporting documents	Amount	For Secretariat use
1			
2			
3			
4			
5			
6			

(Note 1) The claimable ceiling is \$111,374.

**SECTION I - ACCOUNTABLE EXPENSES (CONT'D)**

	Details of expenses with supporting documents	Amount	For Secretariat use
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
	Total (A)	\$	(Note 2)

**SECTION II - ACCOUNTABLE END-OF-EMPLOYMENT BENEFITS OTHER THAN SEVERANCE PAYMENTS**

Particulars		Amount	For Secretariat use
Details as per Annex to Form G	(B1)		
Less : Funds set aside previously (Note 3)	(B2)	( )	
	Net (B)	\$	(Note 2)

**SECTION III - NON-ACCOUNTABLE EXPENSES**

	Nature of expenses without supporting documents	Amount	For Secretariat use
1			
2			
3			
4			
5			
	Total (C)	\$	

(Note 2) Supporting documents (original invoices, receipts or other evidence of payment) should be enclosed. In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on the supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

(Note 3) Funds set aside in previous years that are in excess of (B1) cannot be used to reimburse expenses other than staff benefits incurred in the year when the funds were set aside. Such excesses should be returned using Form G.



**SECTION IV - SEVERANCE PAYMENTS**

Name of staff	Employment period		Length of employment period		Last full month's salary	Severance pay entitled	Amount offset with accrued retirement benefits / gratuities	Net amount paid	<i>For Secretariat use</i>
	From	To	Years	Months					
	DD/MM/YY	DD/MM/YY							
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
Total (D)								\$	<i>(Note 2)</i>

DIRECT SETTLEMENT OF WINDING UP EXPENSES  
BY THE LEGISLATIVE COUNCIL SECRETARIAT

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

For the winding up of my Member's office, I, \_\_\_\_\_, would like the Secretariat to settle the following expenses on my behalf.

<u>Section</u>	<u>HK\$</u>
I Staff salaries	(A)
II Office rentals	(B)
III Consultancy fees	(C)
IV Compensations for early termination of contracts	_____ (D)
	(A) + (B) + (C) + (D)
V Severance payments	_____ (E)
	(Note 1)
	=====

I further declare that :

- a) the severance payments are not more than that required by the Employment Ordinance, or in the case of staff employed for less than two years, not more than the time-apportioned amounts calculated on the notional severance payments payable; and they are paid only to staff employed with the monthly office operation expenses reimbursement or entertainment and travelling expenses reimbursement (but not more than 50% thereof);
- b) salaries payable to my staff are for their service not later than one month after the date I ceased to be Member;
- c) the compensation(s) for early termination of contract(s) are reasonable and contractually required in view of the notice period(s) I have served; and
- d) all the above expenses are necessarily incurred on LegCo business.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

**SECTION I - STAFF SALARIES**

	Name of staff	Period covered		Monthly rate	Amount payable	Bank/branch/account no. (not available for public inspection)	For Secretariat use
		From DD/MM/YY	To DD/MYY				
1							
2							
3							
4							
5							

(Note 1) In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

<b>SECTION I - STAFF SALARIES (CONT'D)</b>							
	Name of staff	Period covered		Monthly rate	Amount payable	Bank/branch/account no. (not available for public inspection)	For Secretariat use
		From DD/MM/YY	To DD/MYY				
6							
7							
8							
9							
10							
Total (A)					\$		

<b>SECTION II - OFFICE RENTALS</b>						
	Name and address of landlord	Period covered		Monthly rate	Amount payable	For Secretariat use
		From DD/MM/YY	To DD/MM/YY			
1						
2						
3						
Total (B)					\$	
(Note 2)						

<b>SECTION III - CONSULTANCY FEES</b>							
	Name and address of consultant	Nature of consultancy work	Period covered		Monthly rate	Amount payable	For Secretariat use
			From DD/MM/YY	To DD/MM/YY			
1							
2							
Total (C)					\$		
(Note 2)							

<b>SECTION IV - COMPENSATIONS FOR EARLY TERMINATION OF CONTRACTS</b>							
	Name and address of contractor	Nature of contract	Period covered		Monthly rate	Amount payable	For Secretariat use
			From DD/MM/YY	To DD/MM/YY			
1							
2							
3							
Total (D)					\$		
(Note 3)							

(Note 2) Certified original invoices should be enclosed.

(Note 3) Certified copy of agreement with compensation clause(s) highlighted must be submitted for verification and public inspection.

**SECTION V - SEVERANCE PAYMENTS**

Name of staff	Employment period		Length of employment period		Last full month's salary	Amount payable	Bank/branch/account no. (not available for public inspection)	<i>For Secretariat use</i>
	From	To	Years	Months				
	DD/MM/YY	DD/MM/YY						
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
Total (E)								
						\$		

EMPLOYMENT BENEFITS  
PAYMENT AND REFUND OF FUNDS SET ASIDE

Name of Member	
Office Address	

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I enclose \*the following original receipts from my staff for settlement of their benefits / and a cheque for the excess funds no longer required. I confirm that the balance of funds as indicated below is still in my custody.

	<u>HK\$</u>
Balance of funds obtained under office operation expenses reimbursement up to the _____ (month/year)	
Less: Payments to staff ( <i>details at Annex</i> ) (            )	
Less: Excess funds now returned ( <i>cheque enclosed</i> ) (            )	
Balance of funds carried forward	_____
	=====

I also confirm that the balance of funds being held by me is not excessive in view of my obligations under the unexpired employment agreements with my staff.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\* please delete where inappropriate

PAYMENT OF EMPLOYMENT BENEFITS

Original receipts of the following payments are enclosed:

Name of staff	Payment Period		Nature of payment (eg gratuity, year-end bonus)	Calculation of benefits (please show calculations)	Amount paid (HKD)	<i>For Secretariat use</i>
	DD/MM/YY	DD/MM/YY				
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
Total					\$	<i>(Note)</i>

*(Note) In case personal identifiers and data (such as Hong Kong identity card numbers, telephone numbers or home addresses) appear on supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.*

NOTIFICATION OF  
UPGRADING AND REPLACEMENT OF CAPITAL ASSETS  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office/Supplies Office)

I, \_\_\_\_\_, have \*upgraded/replaced the following capital items. Please contact my assistant, Mr/Ms \_\_\_\_\_ on \_\_\_\_\_ (telephone no.) to confirm disposal of the replaced item and update your records accordingly.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\* please delete where inappropriate

<i>SECTION I</i>			
	Original asset	Particulars	For Secretariat use
1	Date of purchase		
2	Secretariat asset no.		
3	Description		
4	Amount (or estimated amount for replaced parts)		
5	State of the item	* upgraded with the item in Section II * traded in at \$ _____ ( <i>Note 1</i> ) * sold for \$ _____, and the proceeds have been used on _____ for which supporting documents are attached * lost / broken / in good condition * junk (disposal method to be determined by Supplies Office) Remarks : _____	<i>Disposal method agreed by Supplies Office</i>
6	Supplies Office's decision on disposal method	* to be scrapped and disposed of by Members * to be returned to the Secretariat * others : _____	

<i>SECTION II</i>			
	New item	Particulars	For Secretariat use
1	Description		
2	Net amount paid ( <i>Notes 1 and 2</i> )		
3	Remarks		

(Note 1) The proceeds from the sale of the replaced asset or parts should be used to reduce the amount claimed for the new item.

(Note 2) Supporting documents (original invoices, receipts or other evidence of payment) should be attached to the accompanying claim form. In case personal identifiers and data (such as Hong Kong identity card numbers, credit card numbers, telephone numbers or home addresses) appear on the supporting documents and they are not intended to become public, they should be blocked out before the documents are presented to the Secretariat.

CAPITAL ITEMS LIST

Name of Member	
Office Address	

To : Secretary General  
 Legislative Council Secretariat  
 (Attn : Accounts Office)

I certify that the following capital items, acquired with Members' operating expenses reimbursements, were kept in my office(s) on \_\_\_\_\_ for use on LegCo business:  
 (date)\*

No.	Secretariat asset no.	Description	Date acquired	Purchase price	Reimbursed amount
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
			Page 2 total		
			Page 3 total		
			<b>Grand total</b>	\$	\$

\_\_\_\_\_  
 Signature of Member

\_\_\_\_\_  
 Date

\* to be reported half-yearly as at 30 June and 31 December



CAPITAL ITEMS LIST

Page \_\_\_\_ of \_\_\_\_

Name of Member	
----------------	--

No.	Secretariat asset no.	Description	Date acquired	Purchase price	Reimbursed amount
<b>Page total</b>				\$	\$

RETURN OF CAPITAL ITEMS  
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office / Supplies Office)

\* I / We would like to return the following capital items acquired with Members' operating expenses reimbursements. You may contact my assistant Mr / Ms \_\_\_\_\_ on \_\_\_\_\_ (telephone no.) to make the necessary arrangements.

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Location	In good condition (✓/×)	Disposal method agreed by Supplies Office
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
		Page 2 total					
		<b>Grand total</b>		\$			

Signature of Member Name : \_\_\_\_\_      Signature of Member Name : \_\_\_\_\_      Signature of Member Name : \_\_\_\_\_      Signature of Member Name : \_\_\_\_\_      Signature of Member Name : \_\_\_\_\_

Date : \_\_\_\_\_

\* delete where inappropriate

RETURN OF CAPITAL ITEMS  
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

Page \_\_\_\_ of \_\_\_\_

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Location	In good condition (✓/✗)	<i>Disposal method agreed by Supplies Office</i>
		<b>Page total</b>		\$			

PURCHASE OF CAPITAL ITEMS  
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

\* I / We would like to purchase the following capital items, which were acquired with Members' operating expenses reimbursements, at their market price as set by the Secretariat.

\* The following capital items were acquired jointly by us using Members' operating expenses reimbursements. We hereby agree that \_\_\_\_\_ may purchase them at the following prices :  
*(name(s) of Member(s))*

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Market price as set by the Secretariat
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
		Page 2 total			
		<b>Grand total</b>		\$	\$

A cheque payable to "The Legislative Council Commission" in the amount of \$ \_\_\_\_\_ is enclosed.

\_\_\_\_\_  
Signature of Member      Signature of Member      Signature of Member      Signature of Member      Signature of Member  
Name :                      Name :                      Name :                      Name :                      Name :

Date :

\* delete where inappropriate

PURCHASE OF CAPITAL ITEMS  
ACQUIRED WITH MEMBERS' REIMBURSEMENTS

Page \_\_\_\_ of \_\_\_\_

No.	Secretariat asset no.	Description	Qty	Reimbursed amount	Market price as set by the Secretariat
		<b>Page total</b>		\$	\$

APPLICATION FOR OPERATING FUNDS  
BY MEMBERS OF THE LEGISLATIVE COUNCIL

To : Secretary General  
Legislative Council Secretariat  
(Attn : Accounts Office)

I, \_\_\_\_\_, would like to obtain an operating fund of \$ \_\_\_\_\_  
for financing the following :

	<u>HK\$</u>	
Office operation, entertainment and travelling expenses		(A)
Office setting up expenses		(B)
Information technology and communication equipment expenses	_____	(C)

=====

(Note)

I understand that :

- a) the operating fund for office operation, entertainment and travelling would be used to offset against the operating expenses reimbursement for the month immediately before I leave office and against the winding up expenses reimbursement which I may claim;
- b) the operating fund for office setting-up would be offset against the setting up expenses reimbursement which I must claim with proper supporting documents within three months from the date of receiving the operating fund;
- c) the operating fund for information technology and communication equipment expenses would be offset against the information technology and communication equipment expenses reimbursement which I must claim with proper supporting documents within three months from the date of receiving the operating fund; and
- d) any surplus must be returned to The Legislative Council Commission as soon as it is known.

Please deposit the operating fund to my bank account per details as provided earlier.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

(Note ) Subject to the unclaimed balance under each item, a Member may apply for amounts up to (A) \$247,875, (B) \$75,000 or \$150,000 and (C) \$100,000.

RECRUITMENT OF STAFF

Name of Member	
Post under recruitment	
<b>SECTION I – RECRUITMENT METHOD AND PROCESS</b> <sup>(Note 1)</sup>	
<p>(A) By open recruitment</p> <p><input type="checkbox"/> Advertised in the newspaper</p> <p>_____</p> <p style="text-align: center;"><i>(please specify)</i></p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p> <p><input type="checkbox"/> Notice displayed on the notice board/window of the office</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p> <p><input type="checkbox"/> Notice posted on the website</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p> <p><input type="checkbox"/> Through Labour Department</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p> <p><input type="checkbox"/> Others : _____</p> <p style="text-align: center;"><i>(please specify)</i></p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p>	
<p>(B) By invitation (or other means)</p> <p>Please state the channel or relationship with the applicant(s)</p>	
No. of applications received	

✓ *as appropriate*

*(Note 1) For compliance audit purposes, relevant documents should be kept for at least two years after completion of the recruitment exercise.*

No. of applicants invited for interview	
Date(s) interviews conducted	
Applicant selected	

**SECTION II - DECLARATION (by person(s) recommending/making the appointment decision)**

- (i) The appointee *is/is not*\* a relative of mine.
- (ii) The appointee was *known/unknown*\* to the undersigned Decision-maker (A)/(B)\* before this recruitment exercise. \*The appointee *is/was*\* my/our\* \_\_\_\_\_ (please specify nature of relationship).
- (iii) The appointment is recommended/made purely on the basis of merit. Apart from factors such as general market condition, due regard has been paid to the abilities displayed and the remuneration requested by all applicants.

Decision-maker (A) \_\_\_\_\_  
Name Position/ Capacity Signature Date

Decision-maker (B) \_\_\_\_\_  
Name Position/ Capacity Signature Date

**SECTION III - DECLARATION (by Member employing the appointee)**

- I hereby certify that:
- (i) the appointee is not a relative of mine;
  - (ii) the appointee was *known/unknown*\* to me before this recruitment exercise; \*the appointee *is/was*\* my \_\_\_\_\_ (please specify nature of relationship);
  - (iii) the appointment is made purely on the basis of merit. Apart from factors such as general market condition, due regard has been paid to the abilities displayed and the remuneration requested by all applicants; and
  - (iv) \*the appointee is also in the employ of my *business/relative/business associate/affiliated organization*\* (please see paragraph 15(a) of the Reimbursement Guide, specify the relationship, and name the third party in the space below), a copy of his/her employment contract with this Member's Office is attached for public inspection.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\* delete where inappropriate



LEASING OF OFFICE ACCOMMODATION  
FROM A BUSINESS ASSOCIATE OR AFFILIATED ORGANIZATION

Name of Member			
<i>SECTION I – PARTICULARS OF OFFICE AND LANDLORD CONCERNED</i>			
Address			
Name of landlord			
Relationship of Member with landlord			
<i>SECTION II - JUSTIFICATION FOR LEASING THE ABOVE-STATED OFFICE</i>			
<i>SECTION III - COMPARISON OF ACTUAL RENTAL WITH MARKET RENTAL</i>			
Name of registered professional surveyor (General Practice) registered under “Surveyors Registration Ordinance” (Cap. 417)/corporate member of the Hong Kong Institute of Surveyors (General Practice Division)			
Date of a comparable valuation (i.e. valuation as at)		Tenancy agreement signed on	
Valuation of market rental		Actual rental per tenancy agreement	
<i>SECTION IV - DECLARATION</i>			
I hereby certify that the above stated information is correct and attach herewith the independent valuation report referred to in Section III above.			
_____		_____	
Signature of Member		Date	

SHARING OF OFFICE ACCOMMODATION

Name of Member	
<i>SECTION I – PARTICULARS OF OFFICE CONCERNED</i>	
Address	
Landlord	
Co-tenant	
Business of co-tenant	
Tenancy period	to
Tenancy agreement	As per attached (with demarcations for areas used exclusively for LegCo business, or otherwise, and areas commonly used)
Floor plan with measurements	
Rental for the whole office	\$ /month
Rental shared by Member for LegCo business	\$ /month
<i>SECTION II - RENTAL-SHARING BASIS AND CALCULATIONS</i>	
<i>SECTION III - DECLARATION</i>	
<p>I hereby certify that the information provided above is correct, and undertake to notify the LegCo Secretariat of any changes and cause adjustments to the sharing ratio in a fair manner whenever necessary.</p>	
<p>_____</p> <p>Signature of Member</p>	<p>_____</p> <p>Date</p>

PROCUREMENT EXCEEDING \$20,000  
OR FROM A PARTY IN WHICH THE MEMBER, HIS/HER STAFF  
OR ANY OF THEIR RELATIVES HAS A FINANCIAL INTEREST OR IS IN CONTROL

Name of Member									
<i>SECTION I – PROCUREMENT PARTICULARS (Note 1)</i>									
Product or Service procured									
Quotations obtained	Quotation 1	Quotation 2	Quotation 3						
Date									
Supplier									
Means of obtaining quotations (e.g. by telephone, shopping, tender) and contact details <i>(Note 2)</i>									
Description of items offered (e.g. make/model)									
Price									
Decision	<i>Accepted/ Rejected*</i>	<i>Accepted/ Rejected*</i>	<i>Accepted/ Rejected*</i>						
<i>SECTION II - JUSTIFICATION FOR DECISION</i>									
<p>The decision is based on consideration of the following:</p> <table border="0"> <tr> <td><input type="checkbox"/> price</td> <td><input type="checkbox"/> service/support</td> </tr> <tr> <td><input type="checkbox"/> quality/functions</td> <td><input type="checkbox"/> convenience</td> </tr> <tr> <td><input type="checkbox"/> availability</td> <td><input type="checkbox"/> other reasons: _____</td> </tr> </table>				<input type="checkbox"/> price	<input type="checkbox"/> service/support	<input type="checkbox"/> quality/functions	<input type="checkbox"/> convenience	<input type="checkbox"/> availability	<input type="checkbox"/> other reasons: _____
<input type="checkbox"/> price	<input type="checkbox"/> service/support								
<input type="checkbox"/> quality/functions	<input type="checkbox"/> convenience								
<input type="checkbox"/> availability	<input type="checkbox"/> other reasons: _____								
<p>* (Detailed assessment, if any, is shown in the attached, which can be/should not be* open for public inspection.)</p>									

as appropriate      \* delete where inappropriate

(Note 1) Three quotations should be obtained in respect of any procurement exceeding \$20,000. For compliance audit purposes, relevant documents should be kept for at least two years after completion of the procurement exercise.

(Note 2) If by telephone enquiry, state contact person and telephone number. If by shopping, the shop address should be stated.

(1/06) DF IV P.1/2

**SECTION III - DECLARATION (by person(s) making the procurement decision)**

I/We and my/our relatives have no financial interest in, nor control of, the business of the supplier/service provider. *(If otherwise, please give details.)*

Decision-maker (A) \_\_\_\_\_  
Name Position/ Capacity Signature Date

Decision-maker (B) \_\_\_\_\_  
Name Position/ Capacity Signature Date

**SECTION IV - DECLARATION (by Member)**

I hereby certify that:

- (i) I and my relatives have no financial interest in, nor control of, the business of the supplier/service provider; and
- (ii) \*The supplier/service provider is not a business associate of mine nor an organization to which I am affiliated.
- (iii) \*The supplier/service provider selected is a business associate of mine or an organization to which I am affiliated. Nonetheless, my procurement decision is made in the public interest.

*(Please state the relationship with the supplier/service provider and provide any particular reasons for the procurement decision (e.g. sole supplier for the goods/services required; lower prices from using bulk contracts of an affiliated association).)*

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\* delete where inappropriate