

**Motion to be moved by Hon Charles Peter MOK
under Rule 49B(1A) of the Rules of Procedure
to censure Hon Starry LEE
at the Council meeting of 6 December 2017**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon Starry LEE for misbehaviour and breach of oath under Article 104 of the Basic Law (details as particularized in the Schedule to this motion).

Schedule

Details of Hon Starry LEE's misbehaviour and breach of oath under Article 104 of the Basic Law are particularized as follows:

Serious conflict of interest and dereliction of duty as the Chairman of the House Committee

As a Member and the Chairman of the House Committee of the Legislative Council of the Hong Kong Special Administrative Region, Hon Starry LEE was involved in serious conflict of interest and dereliction of duty in handling the House Committee meeting on 17 November 2017 ("the meeting"). One of the agenda items of the meeting (Item VII(c)) was a letter issued on 14 November 2017 to the Chairman of the House Committee by Hon Martin LIAO on behalf of 38 Members, in which amendments to the Rules of Procedure ("RoP") were proposed ("the amendments to RoP proposed by the pro-establishment camp"). As the Chairman of the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB"), Hon Starry LEE told the media and the public in September 2017 that both DAB and herself were in strong support of the amendments to RoP proposed by the pro-establishment camp, and she continued to express similar opinions afterwards. Since the amendments to RoP proposed by the pro-establishment camp will have a strong and obvious bias and lean towards the interest of the pro-establishment camp in the course of implementation, Hon Starry LEE did not proactively recuse herself from the handling of the relevant amendments; at the meeting, she also did not allow all members to have proper discussion on the agenda items. Moreover, Hon Starry LEE failed to handle the meeting appropriately, thus plunging the meeting into disorder and rendering Legislative Council Members unable to fully discharge their duties.

The Legislative Council Oath requires Members to “serve the Hong Kong Special Administrative Region conscientiously, dutifully, in full accordance with the law, honestly and with integrity”. Hon Starry LEE has been involved in serious conflict of interest and dereliction of duty; her acts constitute misbehaviour and breach of oath under Article 104 of the Basic Law, showing in particular her failure as a Legislative Council Member and the Chairman of the House Committee to serve the Hong Kong Special Administrative Region conscientiously and dutifully.