

Doc Type	HA
Paper No	55/95
Title	Housing Authority Standing Orders
CONTENTS	<p>HA 55/95</p> <p>THE HONG KONG HOUSING AUTHORITY</p> <p>Memorandum for the Housing Authority</p> <p>Housing Authority Standing Orders</p> <p>PURPOSE</p> <p>To seek Members' approval for the proposed arrangements in respect of declaration of non-pecuniary interests and processing presumption papers under the Housing Authority's Standing Orders.</p> <p>BACKGROUND</p> <p>2. At the Housing Authority meeting on 29 June 1995, Members approved in principle a number of proposed revisions to the Authority's Standing Orders (SOs) vide Paper No. HA 35/95. During discussion, the Department was requested to give further consideration to whether the status of PRH tenant should be included as a non-pecuniary interest to be declared, and the extent of the Chairman's Note authority in processing presumption papers.</p> <p>3. We have subsequently taken a further look into these issues. Our proposals are set out in paragraphs 4 to 7 below. Other miscellaneous amendments suggested by Members have been incorporated in the relevant SOs at the Annex (underlined). <u>DECLARATION OF NON-PECUNIARY INTERESTS</u></p> <p>4. At the last meeting, Members accepted in principle that non-pecuniary interests such as membership of public boards and committees whose work is closely related to the HA should be declared. It was proposed in the previous submission that Members should also declare their interest when they have a direct personal interest in a particular issue to be discussed at a meeting. For example, a Member with PRH background should declare his interest when rent increase for a particular estate or priority for allocation of rental resources where he has an interest is discussed. During discussion, some Members supported this proposal since it enables other Members to know more about the background against which views are expressed. However, some Members were of the view that the proposal is against the Authority's intention to include persons from different backgrounds in the deliberation of housing policies, and could be conceived as discriminatory against a particular sector.</p> <p>5. Having reconsidered the proposal in the light of Members' comments, we conclude that there is no need to require a Member to register his background of being a PRH tenant, commercial tenant or owner of a Home Ownership Scheme flat as a non-pecuniary interest. A Member is, however, free to make known a non-pecuniary interest in an issue under discussion at a meeting, if this would safeguard his impartiality and credibility.</p> <p>CHAIRMAN'S AUTHORITY IN PROCESSING PRESUMPTION PAPERS</p> <p>6. At the last meeting, the Department proposed, and Members agreed, that if no written objection is received from any Member before the expiry of the presumption period, the proposal in the paper should be deemed approved. It was also proposed that any Member of the Authority may, with the approval of the Chairman, request in writing discussion of a matter raised in a paper issued by circulation, and such discussion should be arranged at the next regular meeting or a meeting specially arranged for that purpose. Members' request for discussion should be made in writing. In discussion, Members offered the following comments :-</p> <p>(a) Members' requests for further information, particularly those made in writing, should be presumed to be an objection until Members confirm that they are satisfied with the further information or clarification received;</p> <p>(b) We must ensure that we do not give individual Members the power of veto. Any Member can request a matter to be discussed at a meeting, but the Chairman should have the power to decide whether or not the matter should be discussed; and</p> <p>(c) If a presumption paper is agreed by the majority of Members, the Chairman should decide whether proposal be approved having regard to the Members' written views and the Department's response.</p> <p>7. We note Members' comments and we propose that SOs no. 18(2)(3) and 22(8)(9) be amended by the addition of the following :-</p> <p>(a) A Member who wishes to seek clarification or further information about a matter under presumption should do so in writing, and should indicate whether he is objecting to the matter on which clarification or further information is being sought; and</p> <p>(b) The Chairman should be informed by the Department of a Member's objection or request for discussion as soon as possible. On the expiry of a presumption paper, he will be empowered to decide whether or not the matter be discussed at a meeting. If the Chairman is satisfied that the proposal or recommendations in a presumption paper is agreed by the majority of Members, he should have the authority to signify approval to the proposal.</p> <p>RECOMMENDATION</p> <p>8. It is recommended that the proposals in paragraphs 4 to 7 above be approved. If approved, a clean set of the revised SOs will be issued to Members for retention.</p>

PRESUMPTION

9. It is not thought that Members will object to the recommendation in paragraph 8 above. If no objection or request for discussion is received by the Committees' Secretary by noon on 6 October 1995, Members' approval will be presumed and action taken accordingly.

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Date : 22 September 1995

Note

Chairman in this context refers to Chairman of the Housing Authority in respect of HA papers and chairman of a policy committee in respect of committee/subcommittee/panel papers.

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