

**Motion moved by Hon Claudia MO Man-ching
under Rule 49B(1A) of the Rules of Procedure
to censure Hon Holden CHOW Ho-ding**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon Holden CHOW Ho-ding 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 Holden CHOW Ho-ding's misbehaviour and breach of oath under Article 104 of the Basic Law are particularized as follows:

Improperly interfering with and obstructing the Select Committee's inquiry

- (1) As a Legislative Council ("LegCo") Member and the Deputy Chairman of the Select Committee to Inquire into Matters about the Agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited (the "**Select Committee**"), Hon Holden CHOW Ho-ding discussed the major areas of study of the Select Committee with the subject of inquiry, Chief Executive LEUNG Chun-ying, and further conspired with and assisted Mr LEUNG Chun-ying to improperly involve in and interfere with the investigation. At his own risk, Hon Holden CHOW Ho-ding accepted Mr LEUNG Chun-ying's request to amend the major areas of study of the Select Committee, and directly submitted the amendments made by Mr LEUNG Chun-ying to the proposed major areas of study to the Select Committee for discussion at its meeting on 25 April 2017 (the "**Amendments**"), in an attempt to obstruct and pervert the course of the open inquiry proceedings, and conspire with Mr LEUNG Chun-ying to create results advantageous to Mr LEUNG. Such behaviours seriously obstruct the Select Committee in the proper discharge of its duty, violate procedural justice and damage the independence, impartiality and legitimacy of the investigation of the Select Committee. Hon Holden CHOW Ho-ding fails to fulfil the obligation of a committee member. This incident clearly involves role conflicts and/or even conflicts of interests since the aforementioned behaviours are in favour of Mr LEUNG Chun-ying and lead to the suspicion that the cooperation

between Hon Holden CHOW Ho-ding and Mr LEUNG Chun-ying may involve transfers of benefits.

Contempt of the LegCo

- (2) As a LegCo Member, Hon Holden CHOW Ho-ding conspired with and assisted Mr LEUNG Chun-ying to involve in and interfere with the matters of the LegCo in his capacity as the Chief Executive. Such behaviours damage the dignity, autonomy and independence of the LegCo, amounting to contempt of the functions and powers of the LegCo, bringing shame on the LegCo and seriously undermining the public's confidence in the LegCo and LegCo Members.

Making false representations in the LegCo

- (3) As a LegCo Member and the Deputy Chairman of the Select Committee, Hon Holden CHOW Ho-ding intentionally and repeatedly made false representations in relation to the origin of the Amendments at the meeting of the Select Committee on 25 April 2017, with the intention to mislead the Select Committee and the public into believing that the Amendments were genuinely raised by Hon Holden CHOW Ho-ding himself. He refused to admit until the fact that the Amendments were made by Mr LEUNG Chun-ying was revealed. Such behaviours completely fail to meet the level of the credibility, integrity and dutifulness expected of a LegCo Member.

The aforementioned conduct amounting to misbehaviour and breach of oath

- (4) As a LegCo Member, Hon Holden CHOW Ho-ding committed the aforementioned misbehaviour for Mr LEUNG Chun-ying, clearly indicating that he has breached the oath he made on 12 October 2016 under Article 104 of the Basic Law and the Oaths and Declarations Ordinance (Cap. 11) that he will "serve the Hong Kong Special Administrative Region conscientiously, dutifully, in full accordance with the law, honestly and with integrity", which is a basic duty of a LegCo Member.

**Motion moved by Hon Mrs Regina IP LAU Suk-ye
under Rule 49B(1A) of the Rules of Procedure
to censure Hon HUI Chi-fung**

Wording of the Motion

That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon HUI Chi-fung for misbehaviour (details as particularized in the Schedule to this motion).

Schedule

Details of Hon HUI Chi-fung's misbehaviour are particularized as follows:

- (1) In the morning of 24 April 2018, when the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill was holding its meeting, Hon HUI Chi-fung grabbed the mobile phone and documents of a female officer of the Security Bureau at the four-lift lobby on the second floor of the Legislative Council ("LegCo") Complex. The female officer followed Hon HUI Chi-fung and demanded him to return the mobile phone to her, but to no avail. The female officer burst into tears when reporting the incident. As a LegCo Member, Hon HUI Chi-fung showed no respect for public officers and grabbed a person's belongings. His behaviour was abhorrent.
- (2) After grabbing the mobile phone and documents of the female officer, Hon HUI Chi-fung quickly hid himself in a men's toilet on the second floor of the LegCo Complex and stayed there for 10-odd minutes. Subsequently, Hon HUI Chi-fung even admitted openly that he had browsed the information contained in her mobile phone and recorded the information therein "by his own means". Such acts constitute a serious infringement on the female officer's privacy. As the mobile phone was provided by the Government, it might also contain sensitive internal information of the Government.
- (3) Such acts of ramming a public officer may constitute various criminal offences, and are unacceptable even when the perpetrator is an ordinary citizen. As a LegCo Member, Hon HUI Chi-fung fell short of public expectation.

- (4) In the above incident, Hon HUI Chi-fung showed no respect for public officers, acted violently and seriously infringed upon the female officer's privacy, thus failing to fulfil what the public expect of a LegCo Member and tarnishing LegCo's reputation. Such acts clearly amount to misbehaviour under Article 79(7) of the Basic Law.