

HAD's statement on District Council members promoting unauthorised public assemblies

The Home Affairs Department (HAD) today (June 3) made the following statement in response to some District Council (DC) members promoting unauthorised public assemblies.

The HAD received complaints stating that some DC members conducted activities which are unrelated to DC duties, damaging to community harmony and possibly in breach of the laws of Hong Kong. These activities include, but are not limited to, distributing materials and conducting publicity to encourage and facilitate members of the public to participate in unauthorised public assemblies.

According to section 3 of General Standards of the Code of Conduct for Members of a District Council or Its Committees (Code of Conduct), a DC member shall conduct himself or herself in such a way as not to place himself or herself in a position which may be contrary to the generally assumed standard of conduct expected of a DC member. When deciding whether to engage in any activities, a DC member shall accord due consideration as to whether the nature and contents of such activities might be regarded as not in keeping with the position or prestige of a DC member and thereby bringing the Council into disrepute. Section 7(a) of Specific Standards of the Code of Conduct also stipulates that a DC member shall not use the various allowances for a member and/or his or her ward office(s) for purposes other than those connected with the business of the DC.

Furthermore, paragraph 23 of the Guidelines on the Remuneration Package for Members of the District Councils of the HKSAR (Remuneration Guidelines) stipulates that a DC member must ensure that the ward office operated with the support of the Operating Expenses Reimbursement and other accountable allowances/expenses reimbursements for DC members is used for the discharge of DC duties. The daily operation of the ward office of a DC member should comply with all relevant statutory provisions and guidelines issued by the relevant Government departments, professional groups or social service organisations. All expenses not complying with the Remuneration Guidelines or for discharging duties unrelated to the DC will not be reimbursed.

In view of the above, the HAD issued letters to remind individual DC members to comply with the Code of Conduct and the Remuneration Guidelines. If there is proof that a DC member's ward office was used for duties not related to the DC, the related remuneration and ward office operating expenses will not be reimbursed. The DC member may also bear criminal liability when other legislations are breached.