

**The Environment and Conservation Fund Committee -
Research Projects Vetting Subcommittee -
Standing Orders and Guidelines on Declaration of Interests**

Purpose

This paper invites members and co-opted members to note the standing orders of the Research Projects Vetting Subcommittee (RPVSC¹) of the Environment and Conservation Fund (ECF) Committee and to observe the guidelines on declaration of interests.

Background

2. The following standing orders have been adopted by the RPVSC since 1994 for the purpose of maintaining good order at meetings -

(a) Meetings

The Vetting Subcommittee shall meet as frequently as necessary to discharge its duties.

(b) Presiding at Meetings

- (i) The Chairman of the Vetting Subcommittee shall preside at all meetings of the Subcommittee.
- (ii) In the absence of the Chairman from a meeting or part of a meeting, members present shall elect among themselves a member to preside.

(c) Quorum

The quorum necessary for the transaction of business at any meeting of the Vetting Subcommittee shall be half of the total number of members and co-opted members of the Vetting Subcommittee.

¹ The Research Projects Vetting Subcommittee was known as Vetting Subcommittee before December 2002.

(d) Voting

- (i) All questions put to the Vetting Subcommittee shall be decided by a majority of the votes of the members present and voting.
- (ii) The Chairman or a member presiding shall, if the votes be equally divided, have a casting vote in addition to his original vote.

(e) Disclosure of Interests

- (i) If a member or a co-opted member has any direct personal interest, pecuniary or otherwise, in any item under consideration, he shall disclose it to the Vetting Subcommittee.
- (ii) A member or co-opted member who has disclosed a direct personal interest on an item shall refrain from voting on any question pertaining to the item in question.

Guidelines on Declaration of Interests

3. Guidelines on declaration of interests by members of public councils, boards and committees are at Annex.

Advice Sought

4. Members and co-opted members are invited to note the standing orders of the RPVSC and to observe the guidelines on declaration of interests.

Secretariat, ECF Research Projects Vetting Subcommittee
November 2004

**Declaration of Interests by
Members of Public Councils, Boards and Committees**

Guidelines for a One-tier Reporting System

General Principles

When a member (including the chairman) of a public council, board or committee has a potential conflict of interest in a matter placed before the committee, he should make full disclosure of his interest. The basic principle to be observed is that members' advice should be disinterested and impartial and it is the responsibility of each member to judge and decide if the situation warrants a declaration, and to seek a ruling from the chairman in case of doubt.

It is impossible to define or describe all the situations that would call for such a declaration, because each individual case differs, and because of the difficulty of catering for unusual and unforeseen circumstances. On the other hand, it is not intended that a member should make a declaration of interest simply because the committee is considering a matter in which he has knowledge or experience.

Potential Conflict of Interest Situations

The following are potential conflict of interest situations :-

- (1) Pecuniary interests in a matter under consideration by the committee, held either by the member or by any close relative of his. Members are themselves the best judge of who, in the particular circumstances, is a "close relative".
- (2) A directorship, partnership, advisory or client relationship, employment or other significant connection with a company, university, firm, club, association, union or other organisation which is connected with, or the subject of, a matter under consideration by the committee.

- (3) Some friendships which might be so close as to warrant declaration in order to avoid situations where an objective observer might believe a member's advice to have been influenced by the closeness of the association.
- (4) A member who, as a barrister, solicitor, accountant or other professional adviser, has personally or as a member of a company, advised or represented or had frequent dealings with any person or body connected with a matter under consideration by the committee.
- (5) Any interest likely to lead an objective observer to believe that the member's advice might have been motivated by personal interest rather than a duty to give impartial advice.

Declaration of Interests at Meetings

- (1) If a member (including the chairman) has any direct personal or pecuniary interest in any matter under consideration by the committee, he must, as soon as practicable after he has become aware of it, disclose to the chairman (or the committee) prior to the discussion of the item.
- (2) As a general rule, a member who has disclosed interest shall withdraw from participating in the discussion of the relevant application. The chairman (or committee) shall decide whether the member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.
- (3) If the chairman declares an interest in a matter under consideration, the chairmanship may be temporarily taken over by a vice-chairman.
- (4) When a known direct pecuniary interest exists, the secretary may withhold circulation of relevant papers to the member concerned. Where a member is in receipt of a paper for discussion, which he knows presents a direct conflict of interest, he should immediately inform the secretary and return the paper.

- (5) All cases of declaration of interests shall be recorded in the minutes of the meeting.