

DRINKING WATER SAFETY ADVISORY COMMITTEE

Terms of Reference, Operation Arrangements and Declaration of Interests

PURPOSE

This paper sets out the terms of reference, operation arrangements and declaration of interest by the Members of the Drinking Water Safety Advisory Committee (DWSAC).

TERMS OF REFERENCE

2. The DWSAC has been established in January 2018. Its terms of reference and membership list are at **Annex 1**. The Development Bureau will serve as the Secretariat to DWSAC.

OPERATION ARRANGEMENTS

Frequency and mode of meetings

3. The DWSAC will normally meet about twice a year, or as needed.

4. Members are to attend the meetings in their personal capacity, and meetings of DWSAC do not require a quorum.

5. Meetings of DWSAC will be conducted closed-door. The Chairman may brief the media on the matters discussed after the meeting.

Language

6. Meetings of DWSAC will be conducted in English or Cantonese when appropriate.

7. Agendas and confirmed minutes of meetings will be in English.

Release of Information

8. Membership list, the terms of reference, the agenda, non-confidential papers and records of meeting will be uploaded to the website of the Development Bureau.

9. Except for declaration of interests, the names of speakers at the meetings apart from government officials will not be shown in the confirmed minutes of meetings unless otherwise specifically requested by the concerned speaking member.

10. Individual members if approached by the media may refer the enquiries to the Secretariat for follow up. Should they speak to the media, they may express their personal views but should not claim to represent the DWSAC or refer to the opinions of other members.

Endorsement and Voting

11. When endorsement is required, decision will general be made by consensus.

12. If voting is necessary, it will be by simple majority among members present at the meeting. The Chairman, Vice Chairman or member presiding will have an original vote and a casting vote if votes are equal.

DECLARATION OF INTEREST

13. To promote the image and credibility of Public Sector Advisory and Statutory Bodies, the Government has introduced a declaration system. The general principles, potential conflict of interest situations and requirements on declaration of interests at meetings are detailed in the guidelines in **Annex 2**. DWSAC Members (and representative attending meetings on behalf of a Member, if any) should familiarise and comply with the requirements stipulated therein, with an aim of achieving similar objective.

ADVICE SOUGHT

14. Members are invited to note the terms of reference. Members are

invited to offer views on the operation arrangements set out at paragraphs 3 to 12 above.

Development Bureau
January 2018

Drinking Water Safety Advisory Committee
Terms of Reference

To advise the Development Bureau on-

1. Development of the regulatory regime for drinking water safety in Hong Kong;
2. Review of Hong Kong Drinking Water Standard;
3. Review of existing policies and operational strategies/measures relating to drinking water quality as well as formulation of associated new policies and operational strategies/measures; and
4. Worldwide concern on water quality and safety as well as the directions for any research in light of international practices, trends and developments.

就以下事項向發展局提供建議：

1. 香港食水安全規管制度的制定；
2. 香港食水安全標準的檢討；
3. 與食水安全有關的現行政策及運作措施的檢討，以及相關新政策及運作措施的制定；及
4. 世界各地關注的食水安全事宜，以及因應國際常規、趨勢或發展而制定的新研究方向。

Drinking Water Safety Advisory Committee
Membership List

Chairman

Ir LEUNG Kwong Ho, Edmund, SBS, JP 梁廣灝工程師

Vice Chairman

Ir Dr CHAN Hon Fai, BBS 陳漢輝博士工程師

Non-official Members

Dr CUNLIFFE David Anthony

Prof HO Kin Chung, BBS, JP 何建宗教授

Mr HO Kui Yip, Vincent, JP 何鉅業先生

Prof LAU Kar Pui, Susanna 劉嘉珮教授

Ir Prof LO Man Chi, Irene, JP 勞敏慈教授工程師

Dr MA Yiu Wa, Anthony 馬耀華博士

Prof TSE Lap Ah, Shelly 謝立亞教授

Dr WONG Siu Ming, Raymond 王紹明醫生

Dr WONG TAAM Chi Woon, Vivian, JP 黃譚智媛醫生

Ir WONG Yiu Sun, Peter 黃耀新工程師

Ex-officio Members

Permanent Secretary for Development (Works) or representative 發展局
常任秘書長 (工務)或其代表

Director of Water Supplies or representative 水務署署長或其代表

Director of Health or representative 衛生署署長或其代表

Secretary

Team Leader (Secretariat Support Unit for the International Expert Panel
on Drinking Water Safety), Development Bureau 發展局食水安全國際專家小組秘書處支援組組長

公務委員及管理局成員的利益申報事宜

一層申報利益制度指引

一般原則

當公務委員會及管理局的成員（包括主席）得悉該會須予討論的事與成員本身的利益可能有衝突時，應詳盡披露有關利益。所須遵守的基本原則是：委員會成員所提出的意見應是公正無私的，而且每位成員均有責任視乎情況判斷及決定是否需要申報利益，如有疑問，應要求主席作出裁決。

要界定或闡述所有需要申報利益的情況是不可能的，因為每宗個案均有所不同，而且亦難以把各種特殊和未能預料的情況一一列明。此外，委員會成員毋須純粹因他們對委員會正考慮的事項有認識或經驗而申報利益。

可能有利益衝突的情況

以下為可能有利益衝突的情況：

- (1) 委員會的成員必須申報本人或任何近親在委員會正予考慮的事項中所擁有的金錢利益。在這方面，委員會成員應就本身實際情況判斷誰是「近親」。
- (2) 委員會所考慮的事項，直接或間接涉及某一公司、商行、會社、協會、聯會或機構，而委員會成員乃是該公司、商行、會社、協會、聯會或機構的任何董事、合夥人、顧問、客戶或僱員，或與之有其他重要連繫者。
- (3) 委員會成員與某人士或機構的友好關係也可能需要申報，以免客觀

的旁觀者認為該成員提出的意見乃受雙方密切的關係所左右。

- (4) 本身為大律師、律師、會計師或其他專業顧問的委員會成員，若曾以個人或公司成員身份，向任何與委員會正予考慮的事項有關的人士或機構提供意見，或出任其代表，或經常與其有交往者。
- (5) 委員會成員擁有的任何利益可能導致客觀的旁觀者相信他提意見的動機是基於個人利益，而非因為有責任提出公正無私的意見者。

在會議上申報利益

- (1) 如委員會某成員（包括主席）在委員會正予考慮的任何事項中有任何直接個人或金錢利益，該成員在發覺此事後，必須在討論該事項之前，盡早向主席（或委員會）披露。
- (2) 主席（或委員會）須決定曾就某事項披露其利益的主席或成員，可否就有關事項發言或參與表決、可否留在席上旁聽，或應否暫時避席。
- (3) 如主席就某項正予考慮的事項申報利益，其主席之職務可暫由副主席代替執行。
- (4) 在得知某成員在委員會的討論事項中有直接金錢利益時，秘書可停止將有關文件分發給該成員。如有成員收到一份討論文件，而他知道該文件涉及與他有直接利益衝突的事項，則必須立刻通知秘書，並將文件退回。
- (5) 所有關於利益申報的個案必須記錄在會議記錄內。

Declaration of Interests by Members of Public Sector Advisory and Statutory Bodies

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, 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

The following are guidelines governing 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) 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.