

Chapter:	472	<b>Hong Kong Arts Development Council Ordinance</b>	Gazette Number	Version Date
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		<b>Long title</b>	E.R. 2 of 2014	10/04/2014
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An Ordinance to provide for the establishment and the functions of the Hong Kong Arts Development Council as a body corporate for the purpose of the development of the arts in Hong Kong.

(Enacted 1995)

[1 June 1995]

(Enacting provision omitted—E.R. 2 of 2014)

(Originally 26 of 1995)

(\*Format changes—E.R. 2 of 2014)

**Note:**

\* **The format of the Ordinance has been updated to the current legislative styles.**

Part:	1	<b>Preliminary</b>	E.R. 2 of 2014	10/04/2014
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(Enacted 1995)

Section:	1	<b>Short title</b>	E.R. 2 of 2014	10/04/2014
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(1) This Ordinance may be cited as the Hong Kong Arts Development Council Ordinance.

(2) (Omitted as spent—E.R. 2 of 2014)

(Enacted 1995)

Section:	2	<b>Interpretation</b>	E.R. 2 of 2014	10/04/2014
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In this Ordinance, unless the context otherwise requires-

**auditor** (核數師) means a certified public accountant (practising) within the meaning of section 2 of the Professional Accountants Ordinance (Cap 50); (Amended 23 of 2004 s. 56)

**Chairman** (主席) means the Chairman of the Council appointed by the Chief Executive under section 3(3) or any person appointed to act in his place under the Schedule; (Amended 59 of 2000 s. 3)

**committee** (委員會) means any committee or subcommittee established by the Council under the Schedule;

**Council** (發展局) means the Hong Kong Arts Development Council established under section 3(1);

**executive officer** (執行幹事) means the person appointed as the executive officer under section 6(1);

**member** (成員) means an appointed or ex officio member of the Council under section 3(3);

**Vice-chairman** (副主席) means the Vice-chairman of the Council appointed under section 3(3).

(Enacted 1995)

Part:	2	<b>Establishment of the Hong Kong Arts Development Council</b>	E.R. 2 of 2014	10/04/2014
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(Enacted 1995)

Section:	3	<b>Establishment of the Council</b>	E.R. 2 of 2014	10/04/2014
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Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

- (1) There is established a body corporate called the Hong Kong Arts Development Council.
- (2) The Council may sue and be sued.
- (3) The Council shall consist of-
  - (a) a Chairman, a Vice-chairman and not more than 22 other members, each of whom shall be appointed by the Chief Executive for a term not exceeding 3 years; (Amended 9 of 2000 s. 2; 59 of 2000 s. 3)
  - (b)-(c) (Repealed 78 of 1999 s. 7)
  - (d) the Secretary for Home Affairs or his representative; (Amended L.N. 372 of 1996; L.N. 362 of 1997; L.N. 192 of 1998; L.N. 206 of 1998; 9 of 2000 s. 2)
  - (e) the Permanent Secretary for Education or his representative; and (Amended 9 of 2000 s. 2; 3 of 2003 s. 41; L.N. 130 of 2007)
  - (f) the Director of Leisure and Cultural Services or his representative. (Added 9 of 2000 s. 2)
- (4) The other members referred to in subsection (3)(a) may include up to 10 persons nominated by organizations and individuals specified under subsection (5), and organizations and individuals so specified representing an interest may (for that interest) or all organizations and individuals so specified may (for any or all interests listed under subsection (5)) make nomination for this purpose so that not more than 1 person is nominated for each of the interests, and each such person shall, in the opinion of the Chief Executive, be experienced in the interest for which he has been nominated. (Amended 9 of 2000 s. 2; 59 of 2000 s. 3; 8 of 2013 s. 3)
- (5) The Chief Executive may by notice in the Gazette specify, for each of the following interests, organizations or individuals (or both) which or who are, in the opinion of the Chief Executive, representative of that interest- (Amended 9 of 2000 s. 2; 59 of 2000 s. 3; 8 of 2013 s. 3)
  - (a) literary arts;
  - (b) music;
  - (c) dance;
  - (d) drama;
  - (e) visual arts;
  - (f) film arts;
  - (g) arts administration;
  - (h) arts education;
  - (i) arts criticism; (Amended 9 of 2000 s. 2)
  - (j) Chinese opera (Xiqu). (Added 9 of 2000 s. 2)
- (6) The following persons are not eligible for appointment by the Chief Executive under subsection (3)(a) or nomination under subsection (4)- (Amended 59 of 2000 s. 3)
  - (a) a person who holds an established or non-established office, as defined in section 2(1) of the Pension Benefits Ordinance (Cap 99);
  - (b) a person who holds a judicial office as defined in section 2 of the Public Service Commission Ordinance (Cap 93);
  - (c) the Chairman of the Public Service Commission;
  - (d) the Commissioner, Deputy Commissioner and officers of the Independent Commission Against Corruption;
  - (e) the Commissioner for Administrative Complaints and his staff;
  - (f) a person who is employed by The Legislative Council Commission; (Amended 78 of 1999 s. 7)
  - (g) a person who is serving as an officer or member of any armed forces;
  - (h) a person who is a salaried functionary of a government, whether central or local, of any place outside Hong Kong;
  - (i) a person who is an undischarged bankrupt or, within the previous 5 years, has either obtained his discharge in bankruptcy or has entered into a composition with his creditors, in either case without paying his creditors in full;
  - (j) a person who is the subject of a decision under the Mental Health Ordinance (Cap 136) that he is of unsound mind and incapable of managing himself and his affairs and who has not subsequently under that Ordinance been found to have ceased to be of unsound mind;
  - (k) a person who has in Hong Kong or any other territory or country been sentenced to death or imprisonment (by whatever name called) for a term exceeding 3 months and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted or received a free pardon;
  - (l) without prejudice to paragraph (k), a person who has, where the appointment is to be made or is made

within 10 years after the date of conviction, been convicted-

- (i) of any offence in Hong Kong or in any other territory or country and sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine;
  - (ii) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554); or (Replaced 10 of 2000 s. 47)
  - (iii) of any offence under the Prevention of Bribery Ordinance (Cap 201); and
- (m) a person who has been convicted of treason.
- (7) The members of the Council are the governing body of the Council and shall, in the name of the Council, manage the affairs of the Council and exercise the powers conferred on the Council under this Ordinance.
- (8) The Schedule applies with respect to the Council and its members and the Chief Executive may by order amend the Schedule. (Amended 59 of 2000 s. 3)
- (9) The Council is not a servant or agent of the Government and does not have the status, immunities or privileges of the Government.
- (10) Notice of appointments under subsection (3) and any order under subsection (8) shall be published in the Gazette.

(Enacted 1995)

Section:	4	<b>Functions of the Council</b>	E.R. 2 of 2014	10/04/2014
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The functions of the Council are-

- (a) to plan, promote and support the broad development of the arts, including the literary, performing, visual and film arts, and to develop and improve the participation and education in and the knowledge, practice, appreciation, accessibility and informed criticism of the arts, with a view to improving the quality of life of the whole community;
- (b) to formulate and implement strategy for the planning, development, promotion and support of the arts;
- (c) to uphold the principle of, and encourage, freedom of artistic expression;
- (d) to encourage excellence, innovation, creativity and diversity in the arts;
- (e) to encourage interest, understanding, knowledge and skill in the arts at all levels within the formal education system as well as through extracurricular, part-time and voluntary systems;
- (f) to strive for the creation of an environment conducive to ensuring that-
  - (i) all persons in Hong Kong have the opportunity to enjoy, partake in and have access to the arts; and
  - (ii) those with the ability and desire to pursue a career in the arts have the opportunity to do so and receive tuition;
- (g) to advise the Government on the policies, standard of provision of facilities, educational programmes, levels of funding and any other matters that may affect the planning, development, promotion and support of the arts; and
- (h) to engage in other activities conducive to the planning, promotion and support of the development of the arts that the Chief Executive, after consultation with the Council, permits or assigns to it. (Amended 59 of 2000 s. 3)

(Enacted 1995)

Section:	5	<b>Powers of the Council</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council may do all things that-
- (a) are expedient for or incidental or conducive to, the better performance of; or
  - (b) in the opinion of the Council, are necessary to facilitate the carrying out of, the functions of the Council.
- (2) Without restricting the generality of subsection (1), the Council may-
- (a) prepare, promulgate and implement proposals for the planning, development, promotion and support of the arts;
  - (b) prepare, promulgate and implement proposals for advancing and improving the knowledge, practice, appreciation, accessibility and informed criticism of the arts;
  - (c) prepare, promulgate and implement proposals for the education and training of suitable persons with the ability and desire to pursue a career in the arts;
  - (d) carry out itself, or encourage and support other persons or bodies to carry out research, documentation and

- planning and to disseminate information;
- (e) carry out studies into and in respect of the arts and their needs and review the progress in meeting those needs and make proposals for any action the Council considers necessary;
  - (f) take action that the Council considers is appropriate, including giving advice to any person, on any matter relating to the functions of the Council;
  - (g) maintain appropriate liaison, working relationships and consultation with and do anything which it may do under this Ordinance in association or co-operation with the Government, the Hong Kong Academy for Performing Arts, the Hong Kong Arts Centre, schools, colleges or tertiary institutions, District Councils and district associations, professional and amateur arts organizations and any other body or person involved in the promotion of the arts in Hong Kong, and in doing so the Council shall respect the autonomous positions of those bodies and person; (Amended 8 of 1999 s. 89; 78 of 1999 s. 7)
  - (h) receive grants from public funds, accept and solicit private gifts and donations, whether of property or otherwise and whether subject to any trust or not;
  - (i) raise money through sponsorship and other activities and to assist others in doing so where considered appropriate by the Council;
  - (j) disburse grants to organizations and individuals for the planning, development and promotion of the arts and pay such amounts of money to any person or organization whose functions are similar or incidental to the functions of the Council on terms and conditions as to that payment or otherwise that the Council considers appropriate;
  - (k) consult, communicate, collaborate and facilitate cultural exchanges with organizations in places outside Hong Kong in the development of the arts and to secure the benefit of relevant experience from places outside Hong Kong, and to encourage and support others to do so where considered appropriate by the Council; (Amended 23 of 1998 s. 2)
  - (l) acquire, take on lease, purchase, hold and enjoy movable property and sell, let or otherwise dispose of or deal with movable property;
  - (m) acquire, take on lease, purchase, hold and enjoy immovable property and lease or, with the approval of the Financial Secretary, sell or otherwise dispose of immovable property;
  - (n) surrender any lease or apply for and agree to the modification of lease conditions or enter into any exchange;
  - (o) undertake and execute any trust which has for its object the development of arts or any other object similar or incidental to the functions of the Council;
  - (p) engage in any of its activities or exercise any of its powers either alone or in association with any other person or persons; and
  - (q) engage in or support any other activities which the Council considers will facilitate the carrying out of the functions of the Council.

(Enacted 1995)

Part:	3	<b>Staff and Delegation</b>	E.R. 2 of 2014	10/04/2014
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(Enacted 1995)

Section:	6	<b>Employees, etc. of the Council</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council shall appoint a person to be the executive officer to perform the function of leading and managing the facilities and staff of the Council and of representing the Council to and dealing with other persons and bodies in the ordinary course of the day-to-day business and functions of the Council that the Council considers do not require the involvement of the Chairman, Vice-chairman, any member of the Council or any committee of the Council.
- (2) The executive officer is the principal executive officer of the Council and shall, under the direction of the Council, do all acts and things necessary for implementing the decisions of the Council or of any committee to which or person to whom the Council may have delegated the performance or exercise of any of its functions, powers or duties under this Ordinance.
- (3) The Council may appoint or employ other persons and engage the services of technical or professional adviser, on terms of remuneration, benefits, allowances and other conditions of service that the Council considers appropriate.

- (4) The Council may make or provide ex gratia payments to any employee of the Council, or to the personal representative of a deceased employee or to any other person who was dependent on an employee at his death.  
(Enacted 1995)

Section:	7	<b>Delegation</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council may, subject to any restriction or condition it considers appropriate, delegate in writing any of its functions, powers or duties to any person or committee, except-
- (a) the appointment of the executive officer;
  - (b) a function or duty under section 12, 15 or 18;
  - (c) the power to establish any committees or the appointment of members to a committee; and
  - (d) the power to delegate.
- (2) In the absence of proof to the contrary, a committee or a person or group of persons to whom a delegation is made under this section shall be presumed to be acting in accordance with the terms of the delegation.
- (3) A delegation under this section does not preclude the performance or the exercise by the Council of any function, power or duty to which the delegation relates.

(Enacted 1995)

Part:	4	<b>Financial</b>	E.R. 2 of 2014	10/04/2014
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Section:	8	<b>Capital of the Council</b>	E.R. 2 of 2014	10/04/2014
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- (1) Each financial year the Chief Executive may, out of money appropriated by the Legislative Council, authorize payment to the Council of an amount of money that he thinks fit for the purpose of assisting the Council to carry out its functions. (Amended 59 of 2000 s. 3)
- (2) The capital of the Council consist of-
- (a) all money received by the Council for or in connection with the carrying out of its functions;
  - (b) all money received by the Council as gifts, donations, fees, rent, interest and accumulations of income received by the Council; and
  - (c) all property and assets acquired by the Council.

(Enacted 1995)

Section:	9	<b>Use of surplus funds</b>	E.R. 2 of 2014	10/04/2014
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All money of the Council which is not immediately required shall be deposited with any bank licensed under the Banking Ordinance (Cap 155) or invested in other investments that may be approved by the Financial Secretary, either generally or in any particular case.

(Enacted 1995)

Section:	10	<b>Council may borrow</b>	E.R. 2 of 2014	10/04/2014
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- (1) Subject to terms and conditions that may be required by the Financial Secretary, the Council may raise and secure a loan or loans, chargeable and payable out of the capital of the Council, of amounts of money that may be required for any capital expenditure of the Council or for the repayment of any loan previously raised.
- (2) The Council may, with the approval of or in accordance with the terms of any general authority given by the Financial Secretary, borrow by way of overdraft or otherwise, amounts of money that may be required for discharging the obligations, performing the functions or exercising the powers conferred and imposed on the Council under this Ordinance.

(Enacted 1995)

Section:	11	<b>Programmes and estimates</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council shall submit to a person nominated by the Chief Executive, at the time and in respect of the periods

that the Chief Executive may direct, a programme of its proposed activities and estimates of its income and expenditure. (Amended 59 of 2000 s. 3)

- (2) The Council may from time to time revise the programme of its proposed activities and estimates of its income and expenditure.

(Enacted 1995)

Section:	12	<b>Accounts and statements</b>	E.R. 2 of 2014	10/04/2014
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The Council shall maintain proper accounts and records in relation to its accounts and transactions and shall, as soon as practicable and in any case not later than 5 months after the close of each financial year, prepare in respect of that financial year, a statement of accounts of the Council, which shall include an income and expenditure account and a balance sheet and be signed by the Chairman and the executive officer.

(Enacted 1995)

Section:	13	<b>Auditor</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council shall appoint an auditor, who shall be entitled at any reasonable time-
- (a) to have access to all books of accounts, vouchers and other records of the Council; and
  - (b) to require information and explanations that he considers necessary to discharge his functions.
- (2) The auditor shall, as soon as practicable and in any case not later than 7 months after the close of each financial year, audit the accounts required to be maintained under section 12 and shall submit a report on the accounts to the Council.

(Enacted 1995)

Section:	14	<b>Examinations by Director of Audit</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Director of Audit may, in respect of any financial year, carry out examinations into the economy, efficiency and effectiveness with which the Council has used its capital in carrying out its functions, powers and duties.
- (2) The Director of Audit may at any reasonable time-
- (a) have access to documents in the custody or under the control of the Council that he may reasonably require for carrying out an examination under this section; and
  - (b) require from any person holding or accountable for a document any information or explanation that he considers to be reasonably necessary for the purpose of examination.
- (3) This section does not entitle the Director of Audit to question the merits of the functions or policy objectives of the Council.
- (4) The Director of Audit may report to the President of the Legislative Council the results of an examination carried out under this section.

(Enacted 1995)

Section:	15	<b>Annual report</b>	E.R. 2 of 2014	10/04/2014
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The Council shall, not later than 9 months or a longer time that the Chief Executive may determine, after the close of each financial year submit-

- (a) a report on the activities and affairs of the Council for that year;
- (b) a copy of its statement of the accounts for that year; and
- (c) the auditor's report on the accounts,

to the Chief Executive who shall cause such statement and reports to be laid on the table of the Legislative Council not later than 3 months after the receipt of such statement and reports by the Chief Executive.

(Amended 59 of 2000 s. 3)

(Enacted 1995)

Part:	5	<b>Miscellaneous</b>	E.R. 2 of 2014	10/04/2014
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(Enacted 1995)

Section:	16	<b>Directions by the Chief Executive</b>	E.R. 2 of 2014	10/04/2014
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The Chief Executive may, if he considers the public interest so requires, give to the Council directions in writing, not inconsistent with its functions and powers under this Ordinance, with respect to the carrying out of its functions, powers or duties, either generally or in any particular case, and the Council shall comply with those directions.

(Amended 59 of 2000 s. 3)  
(Enacted 1995)

Section:	17	<b>Protection of members, employees, etc.</b>	E.R. 2 of 2014	10/04/2014
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- (1) A member or employee of the Council or of any committee of the Council acting in good faith is not personally liable for any act done or default made-
  - (a) by the Council;
  - (b) by a committee of the Council; or
  - (c) by the member or employee,
 in the carrying out or purported carrying out of the functions, powers or duties under this Ordinance.
- (2) The protection conferred under subsection (1) on members or employees of the Council or of any committee of the Council does not affect any liability of the Council for that act or default.

(Enacted 1995)

Section:	18	<b>Rule making powers of the Council</b>	E.R. 2 of 2014	10/04/2014
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- (1) The Council may make rules for the better carrying out of the functions of the Council and the provisions of this Ordinance.
- (2) Without affecting the generality of subsection (1) the rules may provide for the regulation of-
  - (a) the procedures governing meetings of the Council and any committee;
  - (b) the conditions and terms of employment and the welfare of persons employed or engaged by the Council; and
  - (c) financial procedures.

(Enacted 1995)

Section:	19	<b>(Omitted as spent—E.R. 2 of 2014)</b>	E.R. 2 of 2014	10/04/2014
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Section:	20	<b>(Omitted as spent—E.R. 2 of 2014)</b>	E.R. 2 of 2014	10/04/2014
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Schedule:		<b>Schedule</b>	E.R. 2 of 2014	10/04/2014
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[sections 2 & 3(8)]

### **Provisions with respect to the Council and its Members**

#### **1. Affixing of Council common seal**

- (1) The Council shall have a common seal and has perpetual succession.
- (2) The affixing of the common seal of the Council shall be authorized by the Council and shall be authenticated by the signature of any 2 members of the Council authorized by a resolution of the Council.
- (3) The Council may make and execute any document in the carrying out of its functions, powers or duties.
- (4) Any document purporting to be executed under the common seal of the Council shall, unless there is evidence to the contrary, be deemed to have been so executed and shall be received in evidence without further proof.
- (5) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would

not be required to be under seal may be entered into or executed on behalf of the Council by any person generally or specifically authorized by the Council for that purpose.

## **2. Terms and conditions of appointment and removal of Council members**

- (1) Subject to subsections (2), (3) and (4), a member of the Council shall hold and vacate office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for reappointment.
- (2) An appointed member may at any time resign his office by notice in writing to the Chief Executive, and the resignation shall take effect from the date specified in the notice and where no date is specified on receipt of the notice by the Chief Executive. (Amended 59 of 2000 s. 3)
- (3) If an appointed member of the Council-
  - (a) has been absent from meetings of the Council for a period longer than 4 consecutive months without the permission of the Council;
  - (b) becomes bankrupt or enters into a composition or scheme of arrangement with his creditors, within the meaning of the Bankruptcy Ordinance (Cap 6);
  - (c) becomes incapacitated by physical or mental illness; or
  - (d) is in the opinion of the Chief Executive otherwise unable or unfit to discharge the functions of a member of the Council,the Chief Executive may by notice in writing to the Council declare his office as a member of the Council to be vacant and may notify the fact in a manner that the Chief Executive considers appropriate, and upon the declaration the office becomes vacant. (Amended 59 of 2000 s. 3)
- (4) A person whose office is declared vacant under subsection (3) is not eligible for reappointment.

## **3. Absence of Chairman etc.**

If for any period-

- (a) the Chairman, due to absence from Hong Kong or for any other reason, is unable to act as Chairman; or
- (b) the Vice-chairman or a member is precluded by temporary incapacity or any other reason from performing his functions as Vice-chairman or a member, as the case may be,

the Chief Executive may appoint another person to act in the place of the Chairman, the Vice-chairman or a member, as the case may be, for that period.

(Amended 59 of 2000 s. 3)

## **4. Holding of Council meetings**

- (1) Meetings of Council shall be held at intervals of not more than 3 months and at more frequent times (if any) and at places that the Chairman may determine.
- (2) If directed by the Council, the executive officer shall, unless it is not reasonably practicable, attend all the meetings of the Council and of all committees of the Council.
- (3) At a meeting of the Council, the Chairman shall preside and if the Chairman is absent from any meeting of the Council for any reason or if the office of Chairman is vacant, the Vice-chairman shall preside.
- (4) In the absence from any meeting or in the case of the vacancy of the office of the Chairman and the Vice-chairman, the members present shall before any other business is transacted elect a chairman from amongst themselves for the duration of that meeting.

## **5. Quorum and voting at Council meetings**

- (1) The quorum for any meeting of the Council shall be 1/2 of its members for the time being and while a member is disqualified from taking part in a decision or a deliberation of the Council in respect of any matter, he shall be disregarded for the purpose of constituting a quorum for deciding or deliberating on that matter.
- (2) The Chairman, the Vice-chairman acting in his place or a chairman elected under section 4(4) has a casting vote in addition to his original vote at any meeting of the Council.
- (3) All matters considered by a meeting of the Council shall be decided by a majority of the members present



and voting on the matter.

- (4) The Council may transact any of its business by the circulation of papers amongst members whether the members are in or outside Hong Kong, and a resolution in writing which is approved by a majority of the members shall be as valid and effectual as if it had been passed at a meeting of the Council.

## **6. Council to regulate own procedure**

Subject to this Ordinance, the Council may regulate its own procedure.

## **7. Establishment of committees**

- (1) Subject to section 7 of this Ordinance, the Council may establish committees that it considers appropriate for the better carrying out of the functions, powers and duties of the Council.
- (2) The Council may-
  - (a) appoint members of the Council and, if it considers it appropriate, persons who are not members of the Council, to a committee; and
  - (b) appoint as the chairman of a committee any member of the Council appointed under paragraph (a).
- (3) The chairman of a committee shall appoint the times and places of meetings of the committee.
- (4) The Council may give directions to a committee on any matter including its ambit, terms of reference and responsibilities, procedures and the voting rights and any other rights or responsibilities of any member or class of member of a committee.
- (5) Subject to this Ordinance and any directions from the Council, a committee may regulate its own procedure.

## **8. Members of the Council to disclose interests in respect of certain contracts**

- (1) A member of the Council and a person appointed to a committee under section 7 who is in any way directly or indirectly interested in a contract made or proposed to be made by the Council or in a contract made or proposed to be made by a servant or agent of the Council which is brought up for consideration at a meeting of the Council or a committee, shall disclose the nature of his interest at the meeting.
- (2) The disclosure shall be recorded in the minutes of the meeting.
- (3) The member or person making the disclosure shall not without the permission of the Chairman of the meeting take any part in any deliberation of the meeting with respect to that contract and shall not in any event vote on any question concerning it.
- (4) Any interest whether direct or indirect in a contract made or proposed to be made by the Council or in a contract made or proposed to be made by a servant or agent of the Council and which is vested in or held by a person employed or engaged by the Council or by a member of a committee of the Council shall be disclosed by the person interested to the Chairman who shall arrange for the disclosure to be considered at the next meeting of the Council and recorded in the minutes of the meeting.
- (5) For the purpose of this section, a notice given at a meeting by a member to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with the company or firm shall be regarded as a sufficient disclosure of his interest in relation to any contract so made or proposed to be so made.
- (6) A member need not attend in person at a meeting in order to make a disclosure which he is required to make under this section if he takes reasonable steps to ensure that the disclosure is made by a notice which is brought up and read at the meeting.
- (7) A member of the Council or a committee who has an interest of the kind required to be disclosed under this section and who is consulted by circulation of papers on a matter relating to the subject of his interest shall disclose to the Chairman the fact and nature of his interest.

(Enacted 1995)