

港大審核報告再揭：問題金額遠超 145 萬 戴耀廷秘捐 466 萬「佔」資



戴耀廷

陳文敏

鍾庭耀

戴耀廷經手的五筆「秘捐」

- 一、經由陳文敏給予法律學院，其中 11 萬元用於舉辦「公民提名」國際圓桌會議 金額：30 萬元
- 二、給予港大民意研究計劃設立「電子投票系統」 金額：80 萬元
- 三、給予當時的人文學院院長蔡寬量聘請研究助理，這名助理實際上是幫戴耀廷搞「佔中」 金額：20 萬元
- 四、給予蔡寬量聘請研究助理，這名助理實際上是幫戴耀廷搞「佔中」 金額：15 萬元
- 五、為港大民意研究計劃購買 100 部三星 Galaxy Note 8.0 及 100 部三星 Tab3 金額：60 萬元

總額：205 萬(港元)

資料來源：香港大學審核委員會「捐款門」調查報告

製表：香港文匯報記者 李自明

香港文匯報訊（記者 鄭治祖）「佔中三丑」之一、香港大學法律學者戴耀廷的「捐款門」事件越揭越臭。本報昨日翻查港大審核委員會有關「捐款門」事件的審核報告，發現報告中揭露了戴耀廷曾先後以匿名、個人和「佔中」行動名義，在 2013 年和 2014 年兩年內，向包括港大民意研究計劃在內的港大部門提供高達 466 萬元資金，操控港大大肆進行投票和商討等項目，推動違法「佔中」活動，有關金額遠超早前有密件披露的 145 萬元。不過，報告並未披露有否跟進戴耀廷所有捐款來源和程序，港大昨日則拒絕就「捐款門」事件進一步回應。



港大法律學院

V. The Facts about the Donations

A. The source and purpose of the Donations

33. Appendix B shows the chronology of events and related documents for the Donations. According to the related documents, the source and stated purpose of each of the Donations are set out in the table below:

Donation	Source/Stated Purpose
(1) HK\$200,000 donation to the School of Humanities in May 2013	Email dated 13 May 2013 from Mr. Tai to Professor Daniel Chua: "... the donation is from Anonymous to support works on Faith and Law"
(2) HK\$300,000 donation to the Faculty of Law in May 2013	Memo dated 14 May 2013 from Professor Johannes Chan to the Administrative Assistant and the Senior Secretary of the Faculty of Law: "I have received a donation of \$300,000 from an anonymous donor. The donation is for supporting conferences and seminars on constitutional development in Hong Kong and rule of law education."
(3) HK\$800,000 donation to POP in May 2013	Donations/Grants Processing Form (dated 20 May 2013) submitted by POP states "Anonymous" as the name of donor and "Civil Referendum Project" as the designation of the donation/grant.
(4) HK\$150,000 donation to the School of Humanities in February 2014	Email dated 5 February 2014 from Mr. Tai to Professor Daniel Chua: "the donation like last time is anonymous".
(5) Donation-in-kind to POP in May 2014	Letter of Acknowledgment, signed by Mr. Tai on 14 August 2014 as donor and Dr. Robert Chung on 15 August 2014 as recipient, states: "This is to acknowledge 100 units of Samsung Galaxy Note 8.0 LTE and 100 units of Samsung Galaxy Tab 3 were donated to the Public Opinion Programme at the University of Hong Kong on May 23, 2014 for the PopVote project."

34. In relation to the source and purpose of the Donations, the Committee notes that OCPL made the following official statement dated 28 October 2014 ("the OCPL Statement") on its website¹¹:

In 2013, a member of the public gave a donation to the Rev. Chu Yiu Ming in support of his efforts in promoting democracy in Hong Kong. Subsequently, Rev. Chu decided the donation should be spent as follows: HK\$800,000 should go to HKU's polling programme, specifically the Civil Referendum of June 22nd 2014, \$300,000 to HKU's Faculty of Law for the holding of academic seminars, and \$200,000 to the Faculty of Arts for personnel expenses involved in the Deliberation Days, the Civil Referendum and related research. All three donations were made under the name of "Anonymous".

In fact, of the funds raised at Rev. Chu's birthday dinner in 2014, was donated to HKU's Faculty of Arts¹² under the name of "Anonymous" towards financial support for research

¹¹ Source of both Chinese and English version: <http://www.ocpl.hk/eng/press-releases/ocpl-statement-28-10-14>
¹² This refers to the HK\$150,000 donation in February 2014. The amount of HK\$150,000 is clearly stated in the Chinese version, which is also quoted here.

戴耀廷經手的五筆「秘密捐款」及用途。(港大審核報告第十一頁)

there was no service contract. POP further explained that Mr. Tai first met with POP on 25 March 2013 to discuss the blueprint for the Deliberation Series, but as the specifications changed from time to time, it was very difficult to pin down the costs of the events until the very last moment, and in any case, OCPL did not require an official quotation or service contract from POP.

52. After its review of the financial summary, the Committee is satisfied that the HK\$800,000 donation did not fund the OCPL commissioned work, which resulted in over HK\$2.6 million in separate income to POP, and that the use of HK\$800,000 donation was aligned with the stated purpose of the donation, which was to support the Civil Referendum Project by constructing and enhancing an e-voting system.

Event date	OCLP Event	Income (HK\$)
(1) 9 Jun 2013	DDay 1	291,325
(2) 29 Sep 2013	DP2 "CE Election Design"	406,664
(3) 1 Jan 2014	"New Year Civil Referendum"	300,000
(4) 21-23 Feb 2014	"members only voting"	50,000
(5) 6 May 2014	DDay2 "Constitutional Reform Deliberation Day" Voting	302,000
(6) 20-29 Jun 2014	"6.22 Civil Referendum"	1,175,000
(7) 25 Oct 2014	Umbrella Movement voting	88,676
TOTAL AMOUNT:		2,613,665

Note: Items (4) and (7) do not appear in <http://www.ocpl.hk/eng/press-releases/ocpl-statement-28-10-14> and hence are not listed in paragraph 48.

HK\$300,000 donation in May 2013 to the Faculty of Law

53. The HK\$300,000 donation in May 2013 to the Faculty of Law was placed in a newly-opened project account, into which another donation of HK\$6,600 for the Rule of Law Education (ROLE) project was placed in September 2013. According to the Faculty of Law, HK\$110,099 was used for an academic conference titled "Universal Suffrage and Nomination Procedures: Imperatives from Article 25 ICCPR"²³ held on 20 March 2014, which was hosted by the Centre for Comparative and Public Law at the Faculty of Law ("CCPL") and HK\$21,908.30 has been spent on the ROLE project. Over HK\$174,000 remained unused as at the end of December 2014. The Committee asked Professor Johannes Chan, who received the donation, whether any part of the HK\$300,000 donation was spent on OCPL related activities, to which he replied "No".

54. By way of background, CCPL was established in 1995 as a research centre in the Faculty of Law. Its stated goals are to (1) advance knowledge on public law and human rights issues primarily from the perspectives of international and comparative law and practice; (2) encourage and facilitate collaborative work within the Faculty of Law and the broader community in the fields of comparative and public law; and (3) make the law more accessible to the community and more effective as an agent of social change.²⁴ NDI is listed as one of

²³ "ICCPR" is the acronym for the "International Covenant on Civil and Political Rights"
²⁴ Source: <http://www.ccpl.hk/eng/about-us/about-us-centre.html>

表格中為「佔中」策劃者委託民意研究計劃的「七大任務」。紅線所標內容顯示，陳文敏大耍語言偽術，揚言經手的 30 萬元沒有用於「佔中」。(港大審核報告第二十頁)

去年 10 月，有密件揭發戴耀廷去年 4 次以匿名方式，向港大多個部門秘密捐款共 145 萬元，用於推動違法「佔領」行動，引起外界強烈批評港大縱容學者以學術之名破壞社會秩序，損害港大百年校譽。

「佔中」七項目 判予「鍾氏民調」

港大內部其後調查多時，校務委員會上週終於公開審核委員會的調查報告，並批評涉事的戴耀廷、前法律學院院長陳文敏和港大民意研究計劃總監鍾庭耀等，在處理有關捐款時「不符預期標準」，涉事人亦於多個處理程序失責，其中戴耀廷在提交資料時顯得抗拒，更被指涉利益衝突。目前港大校務委員會已將事件交管理層跟進，再由管理層向校委會匯報結果。

昨日出版的《東周刊》進一步披露，有政圈知情人士細閱報告，留意到戴耀廷除上述 145 萬元捐款外，尚有數百萬元資金提供予鍾庭耀主管的港大民意研究計劃，以借港大名義進行多項推動「佔中」的工作。本報昨日再查閱報告，發現多個段落顯示，由戴耀廷等牽頭的「佔中」行動，有 7 個項目外判予民意研究計劃，共涉資 261 萬元，以及戴耀廷有 5 筆共 205 萬元的匿名和具名捐贈，兩者加起來涉及款項高達 466 萬元。

據本報記者翻查港大有關報告發現，自 2013 年 6 月 9 日起，「佔中」行動 7 次委託港大民意研究計劃進行與「佔中」有關的工作，即兩次「佔中」商討日 (D Day)、2014 年「元旦公投」、「佔中」組織者內部投票、政改商討日投票、2014 年「6.22 全民公投」，及「雨傘運動」廣場投票，港大民意研究計劃收取的金額由 5 萬元至過百萬元不等，其中又以「全民公投」耗資最大，達

117.5 萬元 (右表)。據悉，在該 7 筆款項中，部分經由「佔中」戶口開出。

同時，報告多處提及早前披露的戴耀廷四筆合共 145 萬元的匿名捐款，包括由陳文敏經手、用於舉辦政制發展和法治教育的 30 萬元；用於港大民意研究計劃設立電子投票系統作為所謂「全民公投」的 80 萬元資金；20 萬元及 15 萬元予港大人文學院的捐款，以支持院方進行「信仰與法律」研究及聘請研究助理，而據報告指出，這名研究助理曾多次協助處理與「佔中」相關的工作。

戴「私人」捐 60 萬 購手機電腦各百台

值得注意的是，報告還披露了戴耀廷尚有第五筆由他人具名的 60 萬元捐款。這筆於 2014 年 5 月捐予民意研究計劃的款項，涉及 100 台三星 Galaxy Note 8.0 手機及 100 台三星 Tab 3 平板電腦 (上表)。一名受薪者以私人名義向港大開出如此鉅額的金錢，以購買大量手機，明眼人都知，情況可謂極度不尋常。

外界目前已知，戴耀廷曾經手 145 萬元匿名港大捐款，但這 466 萬當中另外的 321 萬元，來源同樣成疑。雖然報告逐一羅列有關捐款項目，但未有說明有否進一步追問戴耀廷和鍾庭耀等有關款項的捐款過程是否符合程序，包括有否披露捐款人姓名、捐款用途、知會校方、有否違反廉署防貪指引等。

港大昨日回覆本報就有關捐款情況和會否徹查的查詢時僅表示，「香港大學校務委員會已於 2015 年 6 月 30 日的會議上，議決公開審核委員會就捐款事宜提交的報告及相關文件，有關文件已列出捐款事宜的詳情」，又着記者自行參閱，拒絕進一步回應。戴耀廷則截至昨日凌晨截稿時仍未回覆本報查詢。

各界：徹查「黑賬」還社會真相

香港文匯報訊（記者 鄭治祖）港大校務委員會早前公開「捐款門」的審核報告，揭露「佔中三丑」之一的港大法律學院副教授戴耀廷，除了涉嫌先後向港大「豪捐」4 筆合共 145 萬元的「秘密捐款」外，還曾向港大民意研究計劃「大手放水」261 萬元「佔中」資金，委託其進行「七大任務」，但有關鉅額資金來源成疑。香港社會各界狠批，現時「捐款門」涉及的「秘密捐款」越揭越多，質疑戴耀廷仍然隱瞞很多其他「糊塗賬」，促請港大嚴正徹查事件，還社會一個真相。

盧文端：學界賬目更應清楚

全國政協外事委員會副主任、全國工

商聯副主席盧文端在接受本報訪問時指出，就算是商界的資金往來都要清清楚楚，更何況是學界，「社會對學界的道德水平期望更高，學校的教職員正是學生榜樣，因此要『比白更白』。『捐款門』事件已經越揭越多，但這是否事實的全部呢？港大應以最高規格調查事件，以了解資金的來源及用途。因為戴耀廷已不再可信。由於港大曾提及有關廉署的指引，因此，廉署亦應了解事件是否涉及刑事成分。」

他續說，學術自由是一個概念，而能否以其教師身份在學校滿足其政治理念又是另一個概念，「由於大學是一個主要由政府資助及外界捐款營運的地方，

因此，其他大學包括港大都必須以此列子作為借鏡，並須訂立明確的指引，以免有教職員再借學術為名作『糖衣包裝』，實質上就是宣揚其政治理念，甚至推學生去犯法以換取自己的政治籌碼。」

王國興：港大名譽豈容蒙污

工聯會立法會議員王國興強調，港大「捐款門」至今越鬧越大，有關捐款亦越揭越多，港大作為全港歷史最長的高等學府，為了其名譽以至國際地位，絕對要嚴正徹查事件，特別是這批捐款被指「來歷不明」，「港大管理層絕對不能含糊庇護事件，也不能縱容不清楚

的金錢交住。由於早前已有報道指出，有關匿名捐款的安排或涉嫌違反廉政公署的指引，因此，廉署作為執法機構應馬上介入調查是否違法。」

他並擔心，「捐款門」還隱瞞很多事實真相，涉事主角戴耀廷應該進一步清楚及毫不隱瞞地向大學及公眾交代，包括捐款與用途「名不符實」的真相，「民意研究計劃總監鍾庭耀曾經承諾公開財務報告，但至今仍未兌現，令人聯想他的項目中有不可告人的秘密。」

陳勇：學校廉署聯手揭黑幕

港區全國人大代表、新界社團聯會理事長陳勇認為，既然戴耀廷該筆「糊塗

賬」至今仍然糾纏不清，港大更應無懼「港式文革批鬥」，拿出勇氣徹查到底，「當時『真普聯』召集人鄭宇碩被證實涉學術剽竊，最終被校方『燉冬菇』，何況戴耀廷涉嫌大筆金錢交易？」

他強調，「『捐款門』事件絕不能輕言帶過。除非戴耀廷站出來承認，他所持的法律精神只用作整治別人，自己就可以無法無天。港大應徹查清楚，盡速撕下法律的崇高面紗，給大家看清楚戴耀廷的真面目。事件涉及相當嚴重層面，廉政公署亦應該介入調查，還大學機構一個公道。其實按照反對派的處事準則，廉政公署早應採取行動。」

「佔中」歷時 79 日，貽害無窮。