

立法會
Legislative Council

LC Paper No. LS124/00-01

**Paper for the House Committee Meeting
of the Legislative Council
on 15 June 2001**

**Legal Service Division Report on
Import and Export (Strategic
Commodities) Regulations (Amendment of
Schedules 1 and 2) Order 2001 (L.N. 132)
Gazetted on 8 June 2001**

Date of Tabling in LegCo : 13 June 2001

Amendment to be made by : 11 July 2001 (or the next sitting, in the next session, if extended by resolution)

The Order amends Schedules 1 (List of Strategic Commodities) and 2 (list of articles in transit and of air transshipment cargo) to reflect, according to the Administration, the following major changes made by the Wassenaar Arrangement, Missile Technology Control Regime, Australia Group and Nuclear Suppliers Group to their respective control lists -

- (a) the relaxation of the control threshold on the performance of microprocessors (from 3,500 million theoretical operations per second (Mtops) to 6,500 Mtops) and of computers (from 6,500 Mtops to 28,000 Mtops) and the release from control of retail encryption products satisfying certain conditions;
- (b) revision of the control on the purity content of certain metallic elements in metal fuels;
- (c) relaxation of the control on botulinum toxins for products formulated for human administration; and
- (d) addition to the control list production plants for the conversion of plutonium.

2. The Order is made under section 6B of the principal ordinance, which empowers the LegCo to repeal (but not amend) it if necessary. The section also provides that the order shall only come into operation on a day to be appointed by the Director-General of Trade and Industry after the expiry of the period in which it may be repealed.

3. LegCo Brief CIB 15/18/2 XII issued by the Commerce and Industry Bureau and dated 8 June 2001 is relevant.

4. The legal and drafting aspects of the Order are in order.

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