

立法會
Legislative Council

LC Paper No. CB(1)1652/01-02
(These minutes have been seen
by the Administration)

Ref : CB1/BC/3/01

**Bills Committee on
Chemical Weapons (Convention) Bill**

**Minutes of first meeting held on
Thursday, 18 April 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Cyd HO Sau-lan (Chairman)
Hon Margaret NG
Hon James TO Kun-sun
Hon HUI Cheung-ching, JP
Hon LAU Kong-wah
Dr Hon LO Wing-lok
Hon Audrey EU Yuet-mee, SC, JP

Public officers attending : Ms Ellen CHOY
Principal Assistant Secretary for Commerce and Industry

Miss Hinny LAM
Assistant Secretary for Commerce and Industry

Ms Vivian SUM
Assistant Director-General of Trade and Industry

Ms Doris CHAN
Principal Trade Officer
Trade and Industry Department

Mr Andrew WONG
Head of Trade Controls
Customs and Excise Department

Mr S Y CHEUNG
Principal Trade Controls Officer
Customs and Excise Department

Mr C Y AU YEUNG
Senior Chemist
Government Laboratory

Mr Geoffrey FOX
Senior Assistant Law Draftsman
Department of Justice

Ms Marie SIU
Senior Government Counsel
Department of Justice

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Miss Anita HO
Assistant Legal Adviser 2

Mr Anthony WONG
Senior Assistant Secretary (1)8

Action

I. Election of Chairman

Ms Cyd HO was elected Chairman of the Bills Committee.

II. Meeting with the Administration

(LC Paper No. CB(3)10/01-02
Ref: CIB CR14/46/6/1

- The Bill
- The Legislative Council Brief issued by the Commerce and Industry Bureau
- The Legal Service Division Report

LC Paper No. LS 1/01-02

Action

- LC Paper No. CB(1)1510/01-02 — Marked-up copy of the proposed consequential amendments to the Organized and Serious Crimes Ordinance (Cap. 455) and the Weapons of Mass Destruction (Control of Provision of Services) Ordinance (Cap. 526)
- LC Paper No. CB(1)1511/01-02(01) — Background brief prepared by the Legislative Council Secretariat
- LC Paper No. CB(1)1511/01-02(02) — Letter dated 1 November 2001 from the Assistant Legal Adviser to the Administration
- LC Paper No. CB(1)1511/01-02(03) — Reply dated 24 November 2001 from the Administration to the Assistant Legal Adviser)

2. The Bills Committee deliberated (Index of proceedings attached at **Appendix**).

Follow-up actions required

3. To enable members to have a better understanding of the proposed provisions in the Bill and their implications on the general public and the industry, the Administration was requested to provide the following information:

Admin

(a) Chemicals covered by the Bill

To provide, in layman's terms, a description of each of the chemicals listed in the three Schedules of Chemicals annexed to the Convention. The description should cover the following aspects:

- (i) nature of the chemical;
- (ii) scope of application of the chemical; and
- (iii) some examples to illustrate the common usage of the chemical.

(b) Implications of the Bill

To set out, in layman's terms, the implications of the proposed provisions in the Bill on the general public and the industry.

(c) Comparison with similar legislation in Australia and the United Kingdom

To provide:

- (i) a comparison of the proposed provisions in the Bill with the provisions in the Chemical Weapons (Prohibition) Act 1994 of the Commonwealth of Australia, and the Chemical Weapons Act 1996 (c.6) of the United Kingdom; and
- (ii) the full text of the two pieces of relevant legislation mentioned in item (i) above.

Action

4. At the Chairman's request, the Administration agreed to provide the requested information within three weeks as far as practicable.

Date of next meeting

5. Members agreed that the date of the next meeting be decided after the Administration had provided the information requested by the Bills Committee.

III. Any other business

6. There being no other business, the meeting ended at 10:30 am.

Legislative Council Secretariat

6 May 2002

Appendix

**Proceedings of the first meeting of the
Bills Committee on Chemical Weapons (Convention) Bill
on Thursday, 18 April 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
<i>Agenda Item I — Election of Chairman</i>			
0001-0139	Ms Cyd HO	Election of Chairman	
0140-0142	Mr LAU Kong-wah	-ditto-	
0143-0145	Ms Audrey YU	-ditto-	
0146-0321	Miss Margaret NG	Issues proposed for discussion	
0322-0425	Ms Audrey EU	-ditto-	
<i>Agenda Item II — Meeting with the Administration</i>			
0426-0837	Chairman	Welcoming and introductory remarks	
0838-1557	Administration	Briefing by the Administration	
1558-1650	Miss Margaret NG	Schedules of Chemicals	
1651-1720	Chairman	-ditto-	
1721-2419	Administration	-ditto-	
2420-2434	Miss Margaret NG	-ditto-	
2435-2619	Administration	-ditto-	
2620-2639	Miss Margaret NG	-ditto-	
2640-2715	Administration	-ditto-	
2716-2750	Miss Margaret NG	-ditto-	
2751-2901	Administration	-ditto-	
2902-2944	Chairman	-ditto-	
2945-3035	Miss Margaret NG	-ditto-	
3036-3100	Chairman	-ditto-	
3101-3644	Administration	-ditto-	
3645-3656	Chairman	-ditto-	
3657-3804	Mr HUI Cheung-ching	Two surveys conducted by the Administration	
3805-4235	Administration	-ditto-	
4236-4251	Mr HUI Cheung-ching	-ditto-	
4252-4406	Administration	-ditto-	
4407-4619	Mr HUI Cheung-ching	-ditto-	
4620-4759	Administration	-ditto-	

Time	Speaker	Subject(s)	Action required
4800-4819	Mr HUI Cheung-ching	How to facilitate the industry to differentiate whether a chemical is a “scheduled chemical” or “unscheduled discrete organic chemical” covered by the Bill	
4820-4900	Administration	-ditto-	
4901-4934	Mr HUI Cheung-ching	-ditto-	
4935-5007	Mr LAU Kong-wah	Possession and usage of the chemicals listed in the Schedules of Chemicals annexed to the Convention	
5008-5124	Administration	-ditto-	
5125-5240	Mr LAU Kong-wah	-ditto-	
5241-5810	Administration	-ditto-	
5811-5940	Mr LAU Kong-wah	-ditto-	
5941-010145	Administration	-ditto-	
010146-010349	Chairman	-ditto-	
010350-010449	Mr LAU Kong-wah	-ditto-	
010450-010549	Administration	-ditto-	
010550-010627	Mr LAU Kong-wah	-ditto-	
010628-010734	Chairman	-ditto-	
010735-010854	Administration	-ditto-	
010855-010900	Chairman	-ditto-	
010901-010941	Mr LAU Kong-wah	-ditto-	
010942-011100	Administration	-ditto-	
011101-011120	Mr LAU Kong-wah	-ditto-	
011121-011301	Administration	-ditto-	
011302-011326	Mr LAU Kong-wah	-ditto-	
011327-011354	Administration	-ditto-	
011355-011724	Miss Margaret NG	(a) Criminal liability proposed under the Bill (b) Implications of the proposed provisions in the Bill on the general public and the industry (c) Promotion of public awareness	
011725-011836	Administration	-ditto-	
011837-011905	Miss Margaret NG	-ditto-	
011906-012230	Administration	-ditto-	
012231-012552	Miss Margaret NG	-ditto-	
012553-012858	Administration	-ditto-	

012859-012946	Miss Margaret NG	-ditto-	
Time	Speaker	Subject(s)	Action required
012947-013019	Administration	(a) Criminal liability proposed under the Bill (b) Implications of the proposed provisions in the Bill on the general public and the industry (c) Promotion of public awareness	
013020-013054	Miss Margaret NG	-ditto-	
013055-013150	Chairman	-ditto-	
013151-013351	Administration	-ditto-	
013352-013505	Miss Margaret NG	-ditto-	
013506-013614	Administration	-ditto-	
013615-013639	Chairman	-ditto-	
013640-013847	Administration	-ditto-	
013848-014030	Mr LAU Kong-wah	(a) Implications of the proposed provisions in the Bill on the general public and the industry (b) Criteria for judging whether the chemicals listed in Schedule 1 were used for research purpose	
014031-014333	Administration	-ditto-	
014334-014339	Dr LO Wing-lok	Clause 8 - when permit is required	
014340-014453	Administration	- ditto-	
014454-014515	Dr LO Wing-lok	-ditto-	
014516-014530	Administration	-ditto-	
014531-014547	Dr LO Wing-lok	-ditto-	
014548-014854	Chairman	Follow-up actions required	Admin
014855-014959	Administration	-ditto-	
015000-015213	ALA2	Comparison with similar legislation in Australia and United Kingdom	
015214-015253	Chairman	Follow-up actions required	Admin
015254-015325	Dr LO Wing-lok	Chemicals listed in Schedule 2	
015326-015419	Administration	(a) Chemicals listed in Schedule 2 (b) How to facilitate the industry to differentiate whether a chemical is a “scheduled chemical” or “unscheduled discrete organic chemical”	

		covered by the Bill	
Time	Speaker	Subject(s)	Action required
015420-015429	Mr HUI Cheung-ching	-ditto-	
015430-015443	Administration	(a) Chemicals listed in Schedule 2 (b) How to facilitate the industry to differentiate whether a chemical is a “scheduled chemical” or “unscheduled discrete organic chemical” covered by the Bill	
015444-015550	Chairman	Way forward	

Note: The audio records of the above proceedings are kept at the Legislative Council Library

Legislative Council Secretariat
6 May 2002