

CIB CR 14/46/6/1
LS/B/10/01-02
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Secretary for Commerce, Industry and Technology
(Attention: Miss Clara Tang,
Principal Assistant Secretary for Commerce,
Industry and Technology (Commerce and
Industry))
Commerce, Industry and Technology Bureau
Level 29 One Pacific Place
88 Queensway
Hong Kong

2 June 2003

BY FAX
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Total no(s) of page(s) : (2)

Dear Miss Tang,

Chemical Weapons (Convention) Bill

I refer to the 15th draft of the Committee Stage amendments of the above Bill and would like to make the following comments-

Clause 21

2. Under Clause 21(3), could the Commissioner add other points in the notice of seizure if he considered it necessary to do so? Under Clause 21(3)(b)(ii), should the words be "liable to forfeiture" and not "liable for forfeiture" so that consistency could be achieved throughout the text?

3. It is noted that Clause 21(7)(b) has not been amended as agreed.

4. Under Clause 21(14)(b), the English version reads as "on or after the expiration of the 30 days mentioned in subsection (2)" while the Chinese version reads as "在第(2) 款提及的 30 天屆滿當日或之後歸還". Should the Chinese version be "時" and not "當日"?

Clause 23

5. Clause 23(1) has been amended. Under Clause 23(3), is the Commissioner still required to assess the value of the vessel or vehicle and that the claimant has to pay the reasonable cost therefor?

Proposed Schedule 5

6. On the amendment to Schedule 1 to the Organized and Serious Crimes Ordinance(Cap. 455), is there any need to amend the word "possessing"?
7. On consequential amendments, is it the policy intent as not to amend Schedule 2 to the Customs and Excise Service Ordinance (Cap. 342)?
8. I should be grateful if you could let me have a reply in both English and Chinese *before 6 June 2003* so that I could submit your reply to the members of the Bills Committee before the date of next meeting.

Yours sincerely,

(Anita HO)
Assistant Legal Adviser

c.c. Department of Justice (Attn: Mr. Geoffrey FOX, SALD and
Ms Marie SIU, SGC)

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