

立法會
Legislative Council

LC Paper No. CB(2)2640/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/BC/7/01

**Bills Committee on
Prevention of Child Pornography Bill**

**Minutes of meeting
held on Wednesday, 11 June 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Andrew CHENG Kar-foo (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon SIN Chung-kai
Hon YEUNG Yiu-chung, BBS
Hon Miriam LAU Kin-ye, JP
Hon Henry WU King-cheong, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

Members absent : Hon Cyd HO Sau-lan
Hon Eric LI Ka-cheung, JP
Hon Margaret NG
Hon CHEUNG Man-kwong
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon CHOY So-yuk
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi

Public Officers attending : Miss Eliza YAU
Principal Assistant Secretary for Security E

Miss Vivian CHAN
Assistant Secretary for Security E3

Mr John HUNTER
Deputy Principal Government Counsel
Department of Justice (International Law Division)

Miss Betty CHEUNG
Senior Government Counsel
Department of Justice (Law Drafting Division)

Ms Lynda SHINE
Senior Government Counsel
Department of Justice (Prosecutions Division)

Mr Ian Robert MACKNESS
Chief Superintendent (Crime) (Support)
Hong Kong Police Force

Mr Armond CHAN
Senior Superintendent (Crime) (Support)
Hong Kong Police Force

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mrs Eleanor CHOW
Senior Assistant Secretary (2)4

I. Meeting with the Administration

(LC Paper Nos. CB(2) 2369/02-03(01) & (02) and 2432/02-03(01))

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee completed clause-by-clause examination of the Bill. Members generally supported the principles and merits of the Bill. Members agreed to the draft Committee Stage amendments (CSAs) proposed by the Administration as set out in Annex to LC Paper No. CB(2) 2369/02-03(02), which had taken into account comments from members.

3. Members agreed that a report on the deliberations of the Bill Committee would be submitted to the House Committee at its meeting on 20 June 2003, recommending that the Second Reading debate on the Bill be resumed at the Council meeting on 9 July 2003. The Chairman advised members that the deadlines for giving notice of resumption of Second Reading debate and CSAs were 23 June 2003 and 28 June 2003 respectively.

II. Any other business

4. As the Bills Committee had completed its work, members agreed that the two meetings scheduled for 16 and 19 June 2003 would be cancelled.

5. The meeting ended at 9:43 am.

Council Business Division 2
Legislative Council Secretariat
30 June 2003

**Proceedings of the meeting of the Bills Committee on
Prevention of Child Pornography Bill
on Wednesday, 11 June 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000-000134	Chairman	Opening remarks	
000135-001731	Admin	Administration's response to issues raised at the meeting on 5 June 2003 (LC Paper No. CB(2) 2369/02-03(02)) Marked-up copy of the Bill incorporating the latest draft Committee Stage amendments (CSAs) proposed by the Administration (LC Paper No. CB(2) 2432/02-03(01))	
001732-002228	Chairman, ALA4, Admin	Application of penalty level and defence provision for a crime committed overseas under section 124 (which has extra-territorial effect) and section 125 (which has no extra-territorial effect) of the Crimes Ordinance (Cap. 200)	
002229-002320	Hon YEUNG Yiu-chung, Admin	Whether government vehicles are exempted from clause 5	
002321-002813	ALA4, Admin	Application of penalty level and defence provision for a crime committed in Hong Kong under section 124 (which has extra-territorial effect) and section 125 (which has no extra-territorial effect) of the Crimes Ordinance (Cap. 200)	
002814-003224	ALA4, Admin	Application and drafting of clause 4(2)(a) & (b) in the latest CSAs (as compared with clause 4(1)(b) & (c) in Annex II to the Administration's response to issues raised at the meeting on 29 May 2003 (LC Paper No. CB(2)2303/02-03(01))	
003225-003855	Chairman, Admin, Hon SIN Chung-kai	Liability of Internet service providers and courier service operators (LC Paper No. CB(2) 2369/02-03(01))	
003856-004343	Admin, Chairman	Clause-by-clause examination of the Bill Clauses 19 and 20	

Time marker	Speaker	Subject(s)	Action Required
004344-004942	Hon YEUNG Yiu-chung, Admin	Clause 20 Persons committed an offence specified in the Schedule to the Child Care Services Ordinance (Cap. 243) shall not act as a childminder nor hold himself out as willing to act as a childminder Clauses 21-26	
004943-005251	Chairman, Admin	Clause 22 Application of the proposed section 8(2) of the Control of Obscene and Indecent Articles Ordinance (Cap. 390)	
005252-005509	Chairman, Admin	Clause 22 Drafting of the proposed section 8(2) of the Control of Obscene and Indecent Articles Ordinance (Cap. 390)	
005510-005658	Chairman	Cancellation of scheduled meetings Timetable to resume Second Reading debate on the Bill	

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