

立法會
Legislative Council

LC Paper No. CB(2)2692/01-02
(These minutes have been
seen by the Administration)

Ref : CB2/BC/9/01

Bills Committee on United Nations (Anti-Terrorism Measures) Bill

Minutes of the fifth meeting
held on Thursday, 13 June 2002 at 8:30 am
in the Chamber of the Legislative Council Building

Members Present : Hon LAU Kong-wah (Chairman)
Hon Albert HO Chun-yan
Hon Eric LI Ka-cheung, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon James TO Kun-sun
Hon CHAN Kam-lam
Hon Jasper TSANG Yok-sing, JP
Hon Howard YOUNG, JP
Dr Hon YEUNG Sum
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP

Members Absent : Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon Andrew WONG Wang-fat, JP
Hon Emily LAU Wai-hing, JP

Public Officers Attending : Mr Timothy TONG
Deputy Secretary for Security

Ms Mimi LEE
Principal Assistant Secretary for Security (Narcotics)

Ms Judy Maguire
Consultant (Narcotics)

Mrs Wendy CHOI
Assistant Secretary for Security

Mr Geoffrey Fox
Senior Assistant Law Draftsman

Mr John Hunter
Deputy Principal Government Counsel
Treaties and Law Unit
International Law Division

Mr Lawrence PENG
Senior Government Counsel
Law Drafting Division

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Miss Mary SO
Senior Assistant Secretary (2) 8

Ms Janet SHUM
Senior Assistant Secretary (2) 9

I. Meeting with the Administration

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

2. In light of the views expressed by members at the meeting, the Administration agreed to consider the following -

- (a) Amendment of Schedules 2 and 3 which provided for the obtaining of evidence and information for the purposes of the Bill and the seizure and detention of property suspected of being terrorist property should be by way of an amendment bill instead of subsidiary legislation;
- (b) The exemption provided for in paragraph (b) of the definition of "terrorist act" could be extended to cover the action described in

paragraph (a)(i)(E), and judicial authorisation would be required for the specification of terrorists, terrorist associates and terrorist property not designated by the United Nations; and

- (c) There should be adequate safeguard for disclosing knowledge or suspicion that property was terrorist property under clause 11.

II. Date of next meeting

3. Members noted that the next meeting was scheduled for 14 June 2002 at 8:30 am.

4. There being no other business, the meeting ended at 10:40 am.

Council Business Division 2
Legislative Council Secretariat
9 August 2002

**Bills Committee on United Nations (Anti-Terrorism Measures) Bill
Meeting on Thursday, 13 June 2002 at 8:30 am
in the Chamber of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000 - 000248	Chairman	Consideration of the Administration's response to issues raised by members on 17 May 2002 (LC Paper No. CB(2)2125/01-02(04))	
000248 - 000310	Miss Margaret NG	Compensation to a person who successfully applied to the Court of First Instance to revoke a specification by the Chief Executive (CE) under clause 4 or a notice made by the Secretary for Security (S for S) under clause 5	
000310 - 000626	Administration	Ditto	
000626 - 000726	Miss Margaret NG	Ditto	
000726 - 000758	Mr Jasper TSANG	Ditto	
000758 - 001028	Administration	Ditto	
001028 - 001159	Mr Howard YOUNG	CE should obtain a court order before specifying a person or property as a terrorist, terrorist associate or terrorist property in the Gazette	
001159 - 001246	Administration	Ditto	
001246 - 001344	Chairman	Need for the Bill to safeguard individual's civil and political rights	
001344 - 001737	ALA	Power to amend Schedules 2 and 3 under clause 18 (LC Paper No. LS118/01-02)	
001937 - 002129	Miss Margaret NG	Ditto	
002129 - 002248	Administration	Ditto	
002248 - 002421	Miss Margaret NG	Ditto	
002421 - 002608	Administration	Ditto	
002608 - 003022	Miss Margaret NG	Ditto	
003022 - 003200	Administration	Ditto	
003200 - 003302	Miss Margaret NG	Ditto	
003302 - 003338	Administration	Ditto	
003338 - 003520	ALA	Referred members to LC Paper No. LS46/01-02) on United Nations Sanctions (Afghanistan) Regulation and United Nations Sanctions (Afghanistan) (Arms Embargoes) Regulation	
003520 - 004017	Administration	Justifications for Schedules 2 and 3	
004017 - 004126	Miss Margaret NG	Appropriateness of modelling Schedules 2 and 3 on certain provisions in the United Nations Sanctions (Afghanistan) Regulation and United Nations Sanctions (Afghanistan) (Arms Embargoes) Regulation	
004126 - 004321	Administration	Ditto	
004321 - 004332	Chairman	Ditto	
004332 - 005026	Ms Audrey EU	Powers of the authorised officers under Schedules 2 and 3	

005026 - 005142	Administration	Ditto	
005142 - 005151	Chairman	Ditto	
005151 - 005431	Miss Margaret NG	Ditto	
005431 - 005514	Administration	Ditto	
005514 - 005633	Miss Margaret NG	Ditto	
005633 - 005703	Administration	Ditto	
005703 - 005749	Miss Margaret NG	Ditto	
005749 - 005845	Administration	Ditto	
005845 - 005906	Miss Margaret NG	Ditto	
005906 - 005916	Administration	Ditto	
005916 - 010200	Mr Albert HO	Ditto	
010200 - 010341	Administration	Ditto	
010341 - 010449	Chairman	Ditto	
010449 - 010600	Mr James TO/Administration	Amendment of Schedules 1, 2 and 3	
010600 - 010842	ALA	Briefed members on LC Paper No. LS119/01-02, which was a supplementary note on an analysis of overseas legislation enacted to implement the United Nations Security Council Resolution 1373 and the comparison of overseas anti-terrorism legislation on listing process	
010842 - 010954	Mr Albert HO	Listing of terrorists, terrorist associates and terrorist property	
010954 - 011209	Administration	Ditto	
011209 - 011338	Mr Albert HO	Ditto	
011338 - 011558	Administration	Ditto	
011558 - 011641	Mr Albert HO	Ditto	
011641 - 011710	Administration	Ditto	
011710 - 011715	Mr James TO	Ditto	
011715 - 011731	Chairman	Ditto	
011731 - 012047	Mr James TO	Amendment of Schedules 1, 2 and 3	
012047 - 012134	Administration	Ditto	
012134 - 012237	Mr James TO	Ditto	
012237 - 012408	Administration	Ditto	
012408 - 012505	Mr James TO	Ditto	
012505 - 012559	Chairman	Referred members to a paper on the clause-by-clause explanation of the Bill provided by the Administration (LC Paper No. CB(2) 2267/01-02(01))	
012559 - 013712	Administration	Need for enacting the Bill within the current legislative session and submission of draft Committee Stage amendments next week	
013712 - 013821	Mr Albert HO	Forfeiture of terrorist property	
013821 - 013852	Administration	Ditto	
013852 - 013924	Mr James TO	Ditto	
013924 - 014000	Mr Albert HO	Ditto	
014000 - 014025	Administration	Ditto	
014025 - 014035	Chairman	Ditto	
014035 - 014043	Miss Margaret NG	Ditto	
014043 - 014115	Chairman	Ditto	
014115 - 014244	Mr Eric LI	Disclosure of knowledge or suspicion that	

		property was terrorist property	
014244 - 014859	Administration	Ditto	
014859 - 015021	Mr Eric LI	Ditto	
015021 - 015216	Administration	Ditto	
015216 - 015331	Mr Eric LI	Ditto	
015331 - 015646	Miss Margaret NG	Ditto	
015646 - 020044	Mr Albert HO	Ditto	
020044 - 020050	Chairman	Ditto	
020050 - 020225	Dr YEUNG Sum	Ditto	
020225 - 020804	Administration	Ditto	
020804 - 020835	Chairman	Date of next meeting	
020835 - 020916	Ms Audrey EU	Date to hold further hearing to listen to views of deputations	

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