

立法會
Legislative Council

LC Paper No. CB(2)2884/01-02
(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 14th meeting
held on Tuesday, 2 July 2002 at 2:30 pm
in the Chamber of the Legislative Council Building

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

Members Absent : Hon LEE Cheuk-yan
Hon Margaret NG
Hon Andrew WONG Wang-fat, JP

Public Officers Attending : Mr Timothy TONG, JP
Permanent Secretary for Security (Acting)

Ms Mimi LEE
Principal Assistant Secretary for Security (Narcotics)

Mr Johann WONG
Principal Assistant Secretary for Security

Ms Manda CHAN
Assistant Secretary for Security

Mr Geoffrey Fox
Senior Assistant Law Draftsman

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
(LC Paper Nos. CB(2)2459/01-02(01) and (02))

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

2. The Bills Committee continued clause-by-clause examination of the Bill, taking into account the draft Committee Stage amendments (CSAs) tabled by the Administration at the meeting on 27 June 2002 (LC Paper No. CB(2)2424/01-02(01)) and the revised CSAs as at 28 June 2002 (LC Paper No. CB(2)2459/01-02(01)).

3. In the light of the views expressed by members on the proposed CSAs, the Administration agreed that -

- (a) clauses of the Bill which had to rely on subsidiary legislation would not come into operation after the passage of the Bill without first having the relevant rules of court in place; and
- (b) consideration would be given to proposing an amendment Bill on the outstanding provisions and such proposal would be first submitted to

the Panel on Security for discussion.

II. Date of next meeting

4. Members noted that the next meeting was scheduled for Wednesday, 3 July, 2002 at 10:45 am.

5. There being no other business, the meeting ended at 4:45 pm.

Council Business Division 2
Legislative Council Secretariat
7 October 2002

**Bills Committee on United Nations (Anti-Terrorism Measures) Bill
Meeting on Tuesday, 2 July 2002 at 2:30 pm
in the Chamber of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000 - 000243	Chairman	Papers for discussion at the meeting	
000243 - 000331	Ms Audrey EU	Whether the amount of the fine for convicted offence should be specified in clause 14	
000331 - 000410	Administration	Ditto	
000410 - 000527	Ms Audrey EU	Ditto	
000527 - 000745	Administration	Ditto	
000745 - 000928	Ms Cyd HO	Clause 14(4) relating to offences for contravention of clauses 9 and 10	
000928 - 001148	Administration	Ditto	
001148 - 001305	Ms Cyd HO	Ditto	
001305 - 001454	Administration	Ditto	
001454 - 001531	Ms Cyd HO	Ditto	
001531 - 001611	Administration	Ditto	
001611 - 001738	Ms Cyd HO	Ditto	
001738 - 001818	Mr Albert HO	Whether false news deliberately publicised by the media would become an offence under clause 10(1)	
001818 - 001923	Administration	Ditto	
001923 - 001944	Mr Albert HO	Ditto	
001944 - 002023	Administration	Ditto	
002023 - 002105	Mr Albert HO	Ditto	
002105 - 002157	Administration	Ditto	
002157 - 002210	Mr James TO	Ditto	
002210 - 002228	Administration	Ditto	
002228 - 002409	Mr James TO	Ditto	
002409 - 002548	Administration	Ditto	
002548 - 002637	Mr James TO	Ditto	
002637 - 002812	Administration	Examples of legislation in overseas countries such as Singapore and the United Kingdom similar to that specified under clause 10(1)	
002812 - 002858	Mr James TO	Ditto	
002858 - 002937	ALA	Ditto	
002937 - 003027	Mr James TO	Ditto	
003027 - 003206	Administration	Ditto	
003206 - 003303	Chairman	Ditto	
003303 - 003326	Mr CHAN Kam-lam	Ditto	
003326 - 003408	Chairman	Ditto	
003408 - 003422	Ms Emily LAU	Ditto	
003422 - 003528	Ms Cyd HO	Ditto	
003528 - 003630	Administration	Ditto	

003630 - 003837	Ms Audrey EU	Enquiry on summary proceedings for an offence alleged to have been committed outside the HKSAR as specified in clause 14(11)	
003837 - 004038	Administration	Ditto	
004038 - 004059	Ms Audrey EU	Ditto	
004059 - 004210	Administration	Ditto	
004210 - 004352	Ms Audrey EU	Ditto	
004352 - 004455	Administration	Ditto	
004455 - 004553	Ms Audrey EU	Question on clause 2(2) relating to "terrorist act" outside HKSAR	
004553 - 004614	Administration	Explanation of clause 3 on application of certain provisions outside HKSAR	
004614 - 004633	Mr James TO	Ditto	
004633 - 004645	Administration	Ditto	
004645 - 004716	Mr James TO	Ditto	
004716 - 004741	Administration	Ditto	
004741 - 004807	Mr James TO	Ditto	
004807 - 004818	Administration	Ditto	
004818 - 004919	Mr James TO	Ditto	
004919 - 005021	Administration	Ditto	
005021 - 005111	Mr James TO	Ditto	
005111 - 005316	Administration	Ditto	
005316 - 005436	Mr James TO	Ditto	
005436 - 005516	ALA	Ditto	
005516 - 005543	Mr James TO	Ditto	
005543 - 005716	Administration	Ditto	
005716 - 005803	Mr James TO	The place for the carrying out of false threats of terrorist act as implied in clause 10(1) should be more clearly specified	
005803 - 005815	Administration	Ditto	
005815 - 005845	Ms Emily LAU	Sought clarification as to the relation between clause 3 which specified application of certain provisions outside HKSAR and the specification provided under clause 2(2)	
005845 - 005940	ALA	Ditto	
005940 - 010016	Ms Emily LAU	Ditto	
010016 - 010042	ALA	Ditto	
010042 - 010101	Ms Emily LAU	Ditto	
010101 - 010108	Mr James TO	Ditto	
010108 - 010124	Chairman	Ditto	
010124 - 010253	Administration	Ditto	
010253 - 010354	Ms Cyd HO	Ditto	
010354 - 010517	Administration	Ditto	
010517 - 010538	Ms Cyd HO	Ditto	
010538 - 010616	Administration	Ditto	
010616 - 010638	Ms Cyd HO	Ditto	
010638 - 010758	Mr James TO	Ditto	
010758 - 010848	Administration	Ditto	
010848 - 010939	Chairman	Ditto	

010939 - 011406	Administration	Briefed members on proposed CSAs to clause 16	
011406 - 011434	Ms Emily LAU	Ditto	
011434 - 011454	Administration	Ditto	
011454 - 011508	Ms Emily LAU	Ditto	
011508 - 011646	Administration	Ditto	
011646 - 011653	Ms Emily LAU	Ditto	
011653 - 011803	Administration	Ditto	
011803 - 011821	Ms Emily LAU	Ditto	
011821 - 011830	Administration	Ditto	
011830 - 011903	Ms Cyd HO	Ditto	
011903 - 011928	Administration	Clauses in the Bill which relied on subsidiary legislation would not come into operation after the passage of the Bill without first having the relevant rules of court in place	
011928 - 011959	Ms Cyd HO	Ditto	
011959 - 012041	Ms Audrey EU	Ditto	
012041 - 012213	Administration	Ditto	
012213 - 012453	Ms Audrey EU	Ditto	
012453 - 012518	Administration	Ditto	
012518 - 012631	Ms Audrey EU	Ditto	
012631 - 012706	Administration	Ditto	
012706 - 012744	Ms Audrey EU	Ditto	
012744 - 012805	Administration	Ditto	
012805 - 012844	Ms Audrey EU	Ditto	
012844 - 013052	Administration	Ditto	
013052 - 013121	Ms Audrey EU	Ditto	
013121 - 013218	Dr YEUNG Sum	The Democratic Party would not support clause 16A	
013218 - 013331	Ms Cyd HO	Ditto	
013331 - 013830	Administration	Briefed members on the revised CSAs to clauses 17, 18 and 19	
013830 - 013947	Ms Cyd HO	Whether the Bill should be passed when the subsidiary legislation was still to be worked out	
013947 - 014018	Administration	Ditto	
014018 - 014118	Ms Cyd HO	Ditto	
014118 - 014404	Administration	Ditto	
014404 - 014447	Ms Cyd HO	Ditto	
014447 - 014557	Mrs Selina CHOW	Ditto	
014557 - 014623	Dr YEUNG Sum	Ditto	
014623 - 014725	Ms Audrey EU	Sought clarification on new clause 17(6)(b)(i)	
014725 - 014828	Administration	Ditto	
014828 - 014929	Ms Audrey EU	Ditto	
014929 - 015014	Administration	Ditto	
015014 - 015120	Ms Audrey EU	Ditto	
015120 - 015225	Administration	Ditto	
015225 - 015242	Ms Emily LAU	Whether there was any appeal mechanism for those specified as terrorists and terrorist	

		associates under clause 4	
015242 - 015446	Administration	Ditto	
015446 - 015515	Ms Emily LAU	Ditto	
015515 - 015541	Administration	Ditto	
015541 - 015557	Ms Emily LAU	Ditto	
015557 - 015646	Administration	Ditto	
015646 - 015700	Ms Emily LAU	Ditto	
015700 - 015848	Administration	Ditto	
015848 - 015902	Ms Emily LAU	Ditto	
015902 - 015946	Administration	Ditto	
015946 - 020020	Ms Emily LAU	Ditto	
020020 - 020058	ALA	Ditto	
020058 - 020159	Ms Emily LAU	Ditto	
020159 - 020502	Administration	Ditto	
020502 - 020620	Ms Emily LAU	Ditto	
020620 - 020719	Administration	Ditto	
020719 - 020734	Ms Emily LAU	Ditto	
020734 - 020833	Administration	Ditto	
020833 - 021134	Ms Audrey EU	The power for obtaining evidence and seizing of property should be put under the primary legislation instead of being dealt with by subsidiary legislation	
021134 - 021235	Mr Albert HO	Ditto	
021235 - 021539	Administration	Ditto	
021539 - 021844	Ms Audrey EU	Ditto	
021844 - 021947	Mr Albert HO	An amendment bill should be introduced to set out the powers concerned	
021947 - 022108	Dr YEUNG Sum	Ditto	
022108 - 022218	Ms Cyd HO	Ditto	
022218 - 022619	Administration	The Administration would further propose CSAs to the Bill at the next meeting in the light of members' comments	
022619 - 022722	Mr Eric LI	Ditto	
022722 - 022752	Ms Cyd HO	Ditto	
022752 - 022904	Administration	Ditto	
022904 - 022925	Chairman	Ditto	
022925 - 022936	Administration	Ditto	
022936 - 022951	Ms Cyd HO	Ditto	
022951 - 023011	Ms Audrey EU	Ditto	
023011 - 023034	Chairman	Way forward	
023034 - 023119	Ms Audrey EU	Concerned about the accuracy of the Chinese version of the revised CSAs	
023119 - 023418	ALA	Ditto	
023418 - 023541	Ms Audrey EU	Ditto	
023541 - 023651	Chairman	Whether members should vote to decide on the Committee's stance on the resumption of the Second Reading debate on the Bill	
023651 - 023710	Ms Emily LAU	Ditto	
023710 - 023731	Mr Albert HO	Ditto	
023731 - 023748	Chairman	Ditto	

023748 - 023822	Ms Cyd HO	Ditto	
023822 - 023912	Ms Emily LAU	Ditto	
023912 - 024037	Mr James TO	Ditto	
024037 - 024314	Mrs Selina CHOW	Ditto	
024314 - 024534	Ms Audrey EU	Ditto	
024534 - 024813	Administration	The Administration would consider whether - (i) a new clause should be introduced to deal with the clauses and Schedules deleted; and (ii) an amendment Bill on the outstanding provisions should be introduced after passage of the Bill.	
024813 - 024837	Ms Emily LAU	Ditto	
024837 - 024933	Chairman	Ditto	
024933 - 025006	Mr James TO	Ditto	
025006 - 025023	Ms Audrey EU	Ditto	
025023 - 025048	Ms Cyd HO	Ditto	
025048 - 025059	Chairman	Ditto	
025059 - 025121	Mr Howard YOUNG	Ditto	
025121 - 025148	Chairman	Member would vote at the next meeting whether the Committee supported the resumption of the Second Reading debate on the Bill	
025148 - 025303	Mr Howard YOUNG	Ditto	
025303 - 025317	Mr James TO	Ditto	
025317 - 025420	Ms Emily LAU	Ditto	
025420 - 025459	Ms Audrey EU	Ditto	
025459 - 025529	Ms Emily LAU	Ditto	
025529 - 025557	Ms Cyd HO	Ditto	
025557 - 025638	Mr James TO	Ditto	
025638 - 025729	Chairman	End of meeting	

Council Business Division 2
Legislative Council Secretariat
7 October 2002