

**立法會**  
**Legislative Council**

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by the Administration)

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**Subcommittee on  
Fugitive Offenders (Sri Lanka) Order and  
Fugitive Offenders (Portugal) Order**

**Minutes of the 2nd meeting on  
Thursday, 15 November 2001 at 9:00 am  
in Room B of the Legislative Council Building**

**Members present** : Hon James TO Kun-sun (Chairman)  
Hon Margaret NG  
Hon Jasper TSANG Yok-sing, JP  
Hon Miriam LAU Kin-yee, JP  
Hon Emily LAU Wai-hing, JP  
Hon Audrey EU Yuet-mee, SC, JP

**Public Officers attending** : Mrs Margaret CHAN  
Principal Assistant Secretary for Security

Mr John HUNTER  
Deputy Principal Government Counsel

Mr W L CHEUNG  
Senior Government Counsel

Ms Francoise LAM  
Government Counsel

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

**Staff in attendance** : Mr KAU Kin-wah  
Assistant Legal Adviser 6  
  
Ms Dora WAI  
Senior Assistant Secretary (2)4

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Action

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

2. The Subcommittee expressed concern about the implications of Article 6(2) of the Fugitive Offenders (Sri Lanka) Order and that this provision might not be substantially in conformity with the provisions in the Fugitive Offenders Ordinance (Cap. 503). In this connection, the Subcommittee requested the Administration to provide detailed information on the international conventions concerning suppression of terrorism, the new development in respect of these international conventions, how the provisions of the Ordinance worked and where the dividing line for substantial conformity lay.

3. As there were issues relating to the Fugitive Offenders (Sri Lanka) Order that needed to be further discussed with the Administration, the Subcommittee agreed that the Order should be repealed.

*(Post-meeting note: The Administration advised that whereas it considered that the Sri Lanka Agreement was in substantial conformity with the Ordinance, it respected the decision of the Subcommittee that further time was needed to consider the Agreement.)*

4. The Subcommittee agreed that the Chairman should report the deliberations of the Subcommittee to the House Committee at its meeting on 16 November 2001, recommending that -

- (a) the Chairman of the Subcommittee should move a motion at the Council meeting on 21 November 2001 to repeal the Fugitive Offenders (Sri Lanka) Order;
- (b) the House Committee's support be sought to seek President's leave to waive the requisite notice period for the Chairman's motion;
- (c) the Fugitive Offenders (Portugal) Order be supported; and

Action

(d) a subcommittee be formed to study issues relating to the Fugitive Offenders (Sri Lanka) Order.

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

Council Business Division 2  
Legislative Council Secretariat  
4 December 2001