

立法會
Legislative Council

LC Paper No. CB(2)423/02-03
(These minutes have been
seen by the Administration)

Ref : CB2/SS/12/01

**Subcommittee on United Nations Sanctions
(Afghanistan) (Amendment) Regulation 2002 and
United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002**

**Minutes of the 1st meeting
held on Wednesday, 30 October 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members Present : Hon Margaret NG (Chairman)
Hon Cyd HO Sau-lan
Hon James TO Kun-sun
Hon LAU Kong-wah
Hon Audrey EU Yuet-mee, SC, JP

Public Officers Attending : Miss Anita CHAN
Principal Assistant Secretary for Commerce, Industry and
Technology (Commerce and Industry)

Mr Johann WONG
Principal Assistant Secretary for Security

Mr John HUNTER
Deputy Principal Government Counsel

Ms Manda CHAN
Assistant Secretary for Security

Mr Jeffrey CHAN
Assistant Secretary for Commerce, Industry and Technology
(Commerce and Industry)

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

Action

Staff in Attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Miss Mary SO
Senior Assistant Secretary (2) 8

I. Election of Chairman

Miss Margaret NG was elected Chairman of the Subcommittee.

II. Meeting with the Administration

(LC Paper Nos. CB(2)91/02-03(01) to (04) and CB(2)164/02-03(01))

2. The Subcommittee deliberated (Index of proceedings at **Annex**).
3. The Administration undertook to provide a written response to the following requests made by members prior to the next meeting -
 - (a) To consider the need for amending the United Nations Sanctions Ordinance (Cap. 537) to extend its scope of coverage with regard to sanctions imposed by the United Nations Security Council (UNSC), and, if it is considered necessary to amend the Ordinance, to also consider providing for regulations made under section 3 to be vetted by the Legislative Council;
 - (b) To examine the feasibility of giving effect to the United Nations Security Council Resolution (UNSCR) 1390 by way of the United Nations (Anti-Terrorism Measures) Ordinance (the Anti-Terrorism Ordinance) and other administrative means;
 - (c) To provide explanations if the answer to (b) above was in the negative; and
 - (d) To provide the legal basis for the Director of Immigration to carry out UNSCR 1412 through administrative means.

Action

4. Ms Cyd HO suggested and members agreed to request the Panel on Administration of Justice and Legal Services to consider the legislative policy on and the drafting instructions for giving effect to resolutions made by UNSC, international conventions and other related matters.

III. Date of next meeting

5. Subject to confirmation from the Administration after the meeting, members agreed to tentatively schedule the next meeting for 12 November 2002 at 10:45 am to continue discussion on the two Regulations.

6. There being no other business, the meeting ended at 9:35 am.

Council Business Division 2
Legislative Council Secretariat
20 November 2002

**Proceedings of the 1st meeting of the
Subcommittee on United Nations Sanctions
(Afghanistan) (Amendment) Regulation 2002 and
United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002
on Wednesday, 30 October 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000023	Ms Cyd HO, Ms Audrey EU and Miss Margaret NG	Election of Chairman	
000024 - 001015	Chairman, ALA1 and Ms Audrey EU	Issues of concern on the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002	
001016 - 002703	Administration, Chairman and Mr James TO	Appropriateness of giving effect to the United Nations Security Council Resolution (UNSCR) 1390 by way of the United Nations Sanctions Ordinance	
002704 - 003401	Chairman, Administration and Ms Audrey EU	The feasibility of giving effect to UNSCR 1390 by way of the United Nations (Anti-Terrorism Measures) Ordinance (the Anti-Terrorism Ordinance)	
003402 - 003700	Ms Audrey EU, Administration and Chairman	Appropriateness of giving effect to UNSCR 1390 by way of the United Nations Sanctions Ordinance	
003701 - 004245	Mr LAU Kong-wah, Administration and Chairman	Enforcement action in the event that an offence was caught under both the Anti-Terrorism Ordinance and the United Nations Sanctions Ordinance	
004246 - 004433	Chairman	The Administration was requested - (a) To examine the feasibility of giving effect to UNSCR 1390 by way of the Anti-Terrorism Ordinance and other administrative means; and (b) To provide explanations if the answer to (a) above was in the negative.	✓ (Admin to provide a written response)
004434 - 005728	Mr James TO, Administration and Chairman	The Administration was requested to consider the need for amending the United Nations Sanctions Ordinance to extend its scope of coverage with regard to sanctions imposed by the United Nations Security Council (UNSC), and, if it is considered necessary to amend the Ordinance, to also consider providing for regulations made under section 3 to be vetted by the Legislative Council	✓ (Admin to provide a written response)

Action

005729 - 005945	Chairman and Administration	The Administration was requested to provide the legal basis for the Director of Immigration to carry out UNSCR 1412 through administrative means	✓ (Admin to provide a written response)
005946 - 010233	Ms Cyd HO and Chairman	Panel on Administration of Justice and Legal Services (AJLS) be requested to consider the legislative policy on and the drafting instructions for giving effect to resolutions made by UNSC, international convention and other related matters	✓ (Clerk to Subcommittee to refer the request to the Clerk to AJLS Panel for follow-up)
010224 - 010307	Administration and Chairman	Date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

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