

**立法會**  
***Legislative Council***

LC Paper No. CB(2)1944/02-03  
(These minutes have been seen  
by the Administration)

Ref : CB2/BC/5/02

**Bills Committee on  
National Security (Legislative Provisions) Bill**

**Minutes of meeting  
held on Saturday, 12 April 2003 at 9:00 am  
in the Chamber of the Legislative Council Building**

**Members present** : Hon IP Kwok-him, JP (Chairman)  
Hon Ambrose LAU Hon-chuen, GBS, JP (Deputy Chairman)  
Hon Kenneth TING Woo-shou, JP  
Dr Hon David CHU Yu-lin, JP  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon Martin LEE Chu-ming, SC, JP  
Hon Eric LI Ka-cheung, JP  
Hon Fred LI Wah-ming, JP  
Hon NG Leung-sing, JP  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon CHEUNG Man-kwong  
Hon HUI Cheung-ching, JP  
Hon CHAN Kwok-keung  
Hon Bernard CHAN, JP  
Hon CHAN Kam-lam, JP  
Hon LEUNG Yiu-chung  
Hon SIN Chung-kai  
Dr Hon Philip WONG Yu-hong  
Hon WONG Yung-kan  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, JP  
Hon YEUNG Yiu-chung, BBS  
Hon LAU Kong-wah  
Hon Miriam LAU Kin-ye, JP

Hon CHOY So-yuk  
Hon Andrew CHENG Kar-foo  
Hon SZETO Wah  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, JP  
Hon Henry WU King-cheong, BBS, JP  
Hon Michael MAK Kwok-fung  
Hon LEUNG Fu-wah, MH, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon MA Fung-kwok, JP

**Members  
absent** : Hon Cyd HO Sau-lan  
Hon LEE Cheuk-yan  
Dr Hon LUI Ming-wah, JP  
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP  
Hon Andrew WONG Wang-fat, JP  
Hon LAU Chin-shek, JP  
Hon LAU Wong-fat, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Timothy FOK Tsun-ting, SBS, JP  
Dr Hon LAW Chi-kwong, JP  
Dr Hon TANG Siu-tong, JP  
Dr Hon LO Wing-lok  
Hon WONG Sing-chi  
Hon LAU Ping-cheung

**Public Officers :  
attending** Mrs Regina IP, GBS, JP  
Secretary for Security  
  
Mr Bob ALLCOCK, BBS, JP  
Solicitor General  
  
Ms Winnie NG  
Administrative Assistant to Secretary for Security  
  
Mr Johann WONG  
Principal Assistant Secretary for Security  
  
Mr Gilbert MO  
Deputy Law Draftsman

**Attendance by invitation :** Professor Albert H Y CHEN  
Faculty of Law  
University of Hong Kong

Joint Committee of Hong Kong Fisherman's Organizations

Mr PANG Wah-kan

Hong Kong Fishermen's Association

Mr CHEUNG Siu-keung

Hong Kong Youth Association

Mr NIT ngai  
President

New Century Forum

Mr LAN Hong-tsung  
Vice-Convenor

Federation of Hong Kong Guangdong Community  
Organisations Ltd.

Mr YIP Chun-nam  
Deputy Secretary General

The Association of Hong Kong Health Care Professionals

Mr Peter CHUA

Hong Kong Polytechnic Alumni Association

Mr NG Man-kwong  
President

Federation of Hong Kong Kowloon New Territories Hawker  
Associations

Mr LAM Kwei-cheong  
President

Tai Po Tertiary Student Association

Mr WONG Yiu-ying  
President

The Hong Kong Island Federation

Mr WONG Sau-ching  
President

The Association of the Hong Kong Central and Western District  
Limited

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Mr CHOW Yin-sum  
President

The Hong Kong Southern District Alliance

Mr MAK Chi-yan  
Secretary General

The Chinese Muslim Cultural & Fraternal Association and Hong  
Kong Chinese Islamic Federation Ltd

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Mr TUET Che-yin

Miss WONG Wai-yee

New Century Society

Ms WONG Kim-ching  
Secretary

Yau Tsim Mong Federation of Association

Mr CHENG Cheung  
Community Organizer

Hong Kong Federation of Fujian Association

Mr HUI Ching-on  
Member of Social Affairs Committee

Jin Jiang Clans Association (H.K.) Limited

Mr CHOI Sai-chuen

Puning Clansmen's Association Limited

Mr CHAN Han-pan

Mr NG Wai-tat, Jacky

Mr LAM Fan-i

Mr Harvey S K PONG

Mr K K LIU

Hong Kong Federation of Education Workers

Mr WONG Kwan-yu  
Vice-President

Mr WONG Chun-kong

Kowloon City, Kwun Tong and Wong Tai Sin Resident's  
Association Company Limited

Mr WONG Siu-yee  
Vice-President

Mr CHAN Ping-woon

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

**Staff in attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

Miss Mary SO  
Senior Assistant Secretary (2)8

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**I. Meeting with deputations/individuals**

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

2. The Bills Committee received the views of the following deputations/individuals on the Bill -

- (a) Mr WONG Chun-kong;
- (b) Professor Albert H Y CHEN of the Faculty of Law of the University of Hong Kong;
- (c) Joint Committee of Hong Kong Fisherman's Organizations;
- (d) Hong Kong Fishermen's Association;
- (e) Hong Kong Youth Association;
- (f) Federation of Hong Kong Guangdong Community Organisations Ltd.;
- (g) Association of Hong Kong Health Care Professionals;
- (h) Hong Kong Polytechnic Alumni Association;
- (i) Federation of Hong Kong Kowloon New Territories Hawker Association;
- (j) Tai Po Tertiary Student Association;
- (k) Hong Kong Island Federation;
- (l) Association of the Hong Kong Central and Western District Limited;
- (m) Hong Kong Southern District Alliance;
- (n) Chinese Muslim Cultural & Fraternal Association and Hong Kong Chinese Islamic Federation Ltd;
- (o) Miss WONG wai-yee;
- (p) New Century Society;
- (q) Yau Tsim Mong Federation of Association;
- (r) Hong Kong Federation of Fujian Association;

- (s) Jin Jiang Clans Association (H.K.) Limited;
- (t) Puning Clansmen's Association Limited;
- (u) Mr NG Wai-tat, Jacky;
- (v) Mr LAM Fan-i;
- (w) Mr Harvey S K PONG;
- (x) Mr K K LIU;
- (y) Hong Kong Federation of Education Workers;
- (z) Kowloon City, Kwun Tong and Wong Tai Sin Resident's Association Company Limited;
- (aa) Mr CHAN Bing-woon; and
- (bb) New Century Forum.

3. In response to the Chairman, Secretary for Security said that the Administration would carefully consider views expressed by deputations/individuals and respond later.

## **II. Date of next meeting**

- 4. The Bills Committee would next meet on 15 April 2003 at 2:30 pm.
- 5. There being no other business, the meeting ended at 12:31 pm.

Council Business Division 2  
Legislative Council Secretariat  
2 May 2003

**Proceedings of the meeting of the Bills Committee on  
National Security (Legislative Provisions) Bill  
on Saturday, 12 April 2003 at 9:00 am  
in Chamber of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000122-000536	Chairman	Welcoming remarks	
000537-000901	Mr WONG Chun-kong	Presentation of views (submission No. 35)	
000900-001751	Professor Albert H Y CHEN	Presentation of views (submission No. 9)	
001752-002144	Joint Committee of Hong Kong Fisherman's Organizations	Presentation of views (submission No. 10)	
002145-002432	Hong Kong Fishermen's Association	Presentation of views (submission No. 11)	
002433-003112	Hong Kong Youth Association	Presentation of views (submission No. 12)	
003113-003658	Federation of Hong Kong Guangdong Community Organisations Ltd.	Presentation of views (submission No. 14)	
003659-004225	The Association of Hong Kong Health Care Professionals	Presentation of views (submission No. 15)	
004226-004545	Hong Kong Polytechnic Alumni Association	Presentation of views (submission No. 16)	
004546-005245	Federation of Hong Kong Kowloon New Territories Hawker Association	Presentation of views (submission No. 17)	
005246-005726	Tai Po Tertiary Student Association	Presentation of views (submission No. 18)	
005727-010119	The Hong Kong Island Federation	Presentation of views (submission No. 19)	



<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
010120-010534	The Association of the Hong Kong Central and Western District Limited	Presentation of views (submission No. 20)	
010535-010931	The Hong Kong Southern District Alliance	Presentation of views (submission No. 21)	
010932-011419	The Chinese Muslim Cultural & Fraternal Association and Hong Kong Chinese Islamic Federation Ltd	Presentation of views (submission No. 23)	
011420-011756	Miss WONG wai-yee	Presentation of views (submission No. 24)	
011757-012015	New Century Society	Presentation of views (submission No. 25)	
012016-012638	Yau Tsim Mong Federation of Association	Presentation of views (submission No. 26)	
012639-012935	Hong Kong Federation of Fujian Association	Presentation of views (submission No. 27)	
012936-013458	Jin Jiang Clans Association (H.K.) Limited	Presentation of views (submission No. 28)	
013459-013740	Puning Clansmen's Association Limited	Presentation of views (submission No. 29)	
013741 - 014411	Mr NG Wai-tat, Jacky	Presentation of views (submission No. 30)	
014412-014904	Mr LAM Fan-i	Presentation of views (submission No. 31)	
014905-015727	Mr Harvey S K PONG	Presentation of views (submission No. 32)	
015728-020110	Mr K K LIU	Presentation of views (submission No. 33)	
020111-020441	Hong Kong Federation of Education Workers	Presentation of views (submission No. 34)	
020442-020933	Kowloon City, Kwun Tong and Wong Tai Sin Resident's Association Company Limited	Presentation of views (submission No. 22)	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
020934-021154	Mr CHAN Bing-woon	Presentation of views (submission No. 36)	
021155-021752	New Century Forum	Presentation of views (submission No. 13)	
021753-022423	Chairman, Mr LAU Kong-wah, Mr YEUNG Yiu-chung, Tai Po Tertiary Student Association and Hong Kong Federation of Education Workers	Justification for enactment of the Bill	
022424-022701	Mr NG Leung-sing and Hong Kong Youth Association	Application of Mainland laws in Hong Kong to safeguard national security	
022702-022953	Dr Phillip WONG and New Century Forum	Holding of hearing in the absence of the appellant or his/her legal representative	
022954-023442	Mr CHAN Kam-lam and Miss WONG Wai-yee	Ways to safeguard national security	
023443-024214	Mr LEUNG Fu-wah, Federation of Hong Kong Kowloon New Territories Hawker Associations, Chairman, Mr TAM Yiu-chung and Tai Po Tertiary Student Association	Adequacy of the Bill to safeguard national security	
024215-025229	Mr LAU Kong-wah and Professor Albert H Y CHEN	Acts which would constitute the offence of subversion as provided for in new section 2A(1) of the Crimes Ordinance	
025230-030012	Mr TAM Yiu-chung and Professor Albert H Y CHEN	Appeal against proscription and whether the proposed definitions of subversion and secession were in compliance with the standards of international human rights covenants	
030013 - 030638	Mr CHAN Kam-lam and Professor Albert H Y CHEN	Whether the Bill had struck a right balance between safeguarding national security and upholding human rights	
030639-031555	Mr NG Leung-sing and Professor Albert H Y CHEN	The adequacy of the proposed definition of sedition to allay journalists' concern; the expression "intimidates the Central People's Government" used in the proposed definitions of treason and subversion, and the liability of public servants on the disclosure of protected	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
		information	
031556-031622	Chairman and Administration	The Administration would carefully consider views expressed by deputations/individuals and respond later	✓ (Admin to respond)
031623-032425	Mr LEUNG Fu-wah and Professor Albert H Y CHEN	Proposed definitions of treason, subversion, secession and sedition	
032426-032942	Mr Martin LEE, Chairman, Mr LAU Kong-wah and Professor Albert H Y CHEN	Adaptation of certain provisions of the Bill to bring them into conformity with the Basic Law and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China	
032943-033012	Chairman	Closing remarks	

Council Business Division 2  
Legislative Council Secretariat  
2 May 2003