

立法會
Legislative Council

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(These minutes have been
seen by the Administration)

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

**Minutes of meeting
held on Saturday, 3 May 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
Dr Hon LUI Ming-wah, 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 Kam-lam, JP
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 LAU Kong-wah
Hon Miriam LAU Kin-yee, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon Timothy FOK Tsun-ting, SBS, JP
Hon TAM Yiu-chung, GBS, JP

Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

Members absent : Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon Fred LI Wah-ming, JP
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Kwok-keung
Hon Bernard CHAN, JP
Hon LEUNG Yiu-chung
Hon Andrew WONG Wang-fat, JP
Hon YEUNG Yiu-chung, BBS
Hon LAU Chin-shek, JP
Hon LAU Wong-fat, GBS, JP
Dr Hon LAW Chi-kwong, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
Hon Henry WU King-cheong, BBS, JP
Hon WONG Sing-chi
Hon LAU Ping-cheung

Public Officers attending : Mrs Regina IP, GBS, JP
Secretary for Security

Mr Timothy TONG, JP
Permanent Secretary for Security (Acting)

Mr Bob ALLCOCK, BBS, JP
Solicitor General

Mr Gilbert MO
Deputy Law Draftsman

Ms Winnie NG
Administrative Assistant to Secretary for Security

Mr Johann WONG
Principal Assistant Secretary for Security

Miss Adeline WAN
Senior Government Counsel

Attendance by : Hong Kong Alliance Youth Group
invitation

Mr Patrick CHOW M Bill
Chairman

April Fifth Action

Mr LEUNG Kwok-hung

Amnesty International Hong Kong Section

Ms Sarah CARMICHAEL
Chair

Hong Kong Political Science Association

Mr Michael DAVIS

Hong Kong Youth & Tertiary Students Association

Mr HAU Yuen-yuk
Ex-External Vice-President

Hong Kong Association of Falun Dafa

Mr Kan Hung-cheung
Chairman

Justice & Peace Commission of the Hong Kong Catholic Diocese

Miss HUNG Ling-yu, Jackie
Project Officer

Democratic Party

Miss CHAN Shu-ying
Chairperson of Political Affairs Division

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai
Director

Civil Human Rights Front

Mr TSOI Yiu-cheong, Richard

Hong Kong Voice of Democracy

Mr FUNG Chi-wood

Mr TSANG Kin-shing

Hong Kong Professional Teachers' Union

Mr CHAN Hung
Secretary General

The Chinese University of Hong Kong Student Union

Mr TO Wai-kit
Vice-President

Mr CHAU Chun-yam

New Youth Forum

Mr Bruce L F LAU
Secretary General

Kowloon City District Resident Association

Mr LO Man-sing

Kwun Tong Resident Association

Ms LEUNG Fu-wing
Vice Executive

Choi Shek Resident Service Centre

Mr LAM Sum-shing

China Democratic Party

Mr LAU San-ching

Mr CHUI Pak-tai

Wong Tai Sin District Council Member

Hong Kong Catholic Social Communications Office

Fr. Louis HA
Director

The Frontier

Mr TO Kwan-hang

The Hong Kong Overseas Chinese General Association

Mr ONG Yew-kim

Hong Kong Federation of Students

Mr CHUNG Chak-shing

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

Staff in attendance : Mr Jimmy MA, JP
Legal Adviser

Miss Mary SO
Senior Assistant Secretary (2)8

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) Hong Kong Alliance Youth Group;

- (b) April Fifth Action;
- (c) Amnesty International Hong Kong Section;
- (d) Hong Kong Political Science Association;
- (e) Hong Kong Youth & Tertiary Students Association;
- (f) Hong Kong Association of Falun Dafa;
- (g) Justice & Peace Commission of the Hong Kong Catholic Diocese;
- (h) Democratic Party;
- (i) Hong Kong Human Rights Monitor;
- (j) Civil Human Rights Front;
- (k) Hong Kong Voice of Democracy;
- (l) Mr TSANG Kin-shing;
- (m) Hong Kong Professional Teachers' Union;
- (n) The Chinese University of Hong Kong Student Union;
- (o) Mr CHAU Chun-yam;
- (p) New Youth Forum;
- (q) Kowloon City District Resident Association;
- (r) Kwun Tong Resident Association;
- (s) Choi Shek Resident Service Centre;
- (t) China Democratic Party;
- (u) Mr CHUI Pak-tai, Wong Tai Sin District Council Member;
- (v) Hong Kong Catholic Social Communications Office;
- (w) The Frontier;

- (x) The Hong Kong Overseas Chinese General Association; and
- (y) Hong Kong Federation of Students.

II. Date of next meeting

- 3. The Bills Committee would next meet on 3 May 2003 at 2:00 pm.
- 4. There being no other business, the meeting ended at 1:10 pm.

Council Business Division 2
Legislative Council Secretariat
22 May 2003

**Proceedings of the meeting of the Bills Committee on
National Security (Legislative Provisions) Bill
on Saturday, 3 May 2003 at 9:00 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000319	Chairman	Opening remarks	
000320 - 000838	Hong Kong Alliance Youth Group	Presentation of views (submission no. 94)	
000839 - 001814	April Fifth Action	Presentation of views	
001815 - 002415	Amnesty International Hong Kong Section	Presentation of views (submission no. 96)	
002416 - 003135	Hong Kong Political Science Association	Presentation of views (submission no. 58)	
003136 - 003527	Hong Kong Youth & Tertiary Students Association	Presentation of views (submission no. 97)	
003528 - 004120	Hong Kong Association of Falun Dafa	Presentation of views (submission no. 59)	
004121 - 004933	Justice & Peace Commission of the Hong Kong Catholic Diocese	Presentation of views (submission no. 100)	
004934 - 005814	Democratic Party	Presentation of views (submission no. 101)	
005815 - 010931	Hong Kong Human Rights Monitor	Presentation of views	
010932 - 011946	Civil Human Rights Front	Presentation of views (submission no. 103)	
011947 - 012434	Hong Kong Voice of Democracy	Presentation of views (submission no. 105)	
012435 - 013042	Mr TSANG Kin-shing	Presentation of views (submission no. 107)	
013043 - 013947	Hong Kong Professional Teachers' Union	Presentation of views (submission no. 108)	

Time marker	Speaker	Subject(s)	Action Required
013948 - 014332	The Chinese University of Hong Kong Student Union	Presentation of views (submission no. 109)	
014333 - 014724	Mr CHAU Chun-yam	Presentation of views (submission no. 110)	
014725 - 015135	New Youth Forum	Presentation of views (submission no. 111)	
015136 - 015707	Kowloon City District Resident Association	Presentation of views (submission no. 112)	
015708 - 020421	Kwun Tong Resident Association	Presentation of views (submission no. 113)	
020422- 020830	Choi Shek Resident Service Centre	Presentation of views (submission no. 114)	
020831 - 021417	China Democratic Party	Presentation of views (submission no. 115)	
021418 - 022206	Mr CHUI Pak-tai, Wong Tai Sin District Council Member	Presentation of views (submission no. 116)	
022207 - 022808	Hong Kong Catholic Social Communications Office	Presentation of views (submission no. 117)	
022809 - 023124	The Frontier	Presentation of views (submission no. 118)	
023125 - 024127	The Hong Kong Overseas Chinese General Association	Presentation of views (submission no. 119)	
024128 - 024552	Hong Kong Federation of Students	Presentation of views (submission no. 120)	
024553 - 024653	Chairman	Proceedings of the meeting	

Time marker	Speaker	Subject(s)	Action Required
024654 - 025538	Mr LEUNG Fu-wah, Hong Kong Alliance Youth Group, Mr Martin Lee and Chairman	<p>Validity of classifying armed forces under the direction or control of the government of Taiwan as foreign armed forces defined in new section 2A(4)(a) of the Crimes Ordinance (Cap. 200)</p> <p>Wide power of the Secretary for Security to proscribe local organizations</p> <p>Wide investigation power of the Police</p>	
025539 - 030411	Mr Howard YOUNG and Hong Kong Political Science Association	<p>Rights of secession in the United States of America and Canada</p> <p>Offence of secession under the Bill should only be confined to Hong Kong people seeking to secede Hong Kong from the People's Republic of China</p>	
030412 - 031153	Miss Margaret NG and Hong Kong Political Science Association	Appropriateness of the use of the word "instigates" and "assists" in the offence of treason proposed in the Bill	
031154 - 031811	Mr Martin LEE and Hong Kong Political Science Association	<p>Confirmation as to whether reporting health statistics obtained in the Mainland would not be an offence at present or after the enactment of the Bill</p> <p>Need for a defence of public interest for disclosure of protected information under the Bill</p>	
031812 - 032255	Ms Emily LAU and Hong Kong Catholic Social Communications Office	<p>Need to conduct another round of public hearings in the event that the Administration decided to introduce amendments to the Bill</p> <p>Clarification on whether the reason why the Administration had not accepted the goodwill extended by the Catholic Church to render assistance in the fight against Severe Acute Respiratory Syndrome was due to the criticisms made by the Catholic Church on the Bill</p>	

Time marker	Speaker	Subject(s)	Action Required
032256 - 032617	Mr TAM Yiu-chung and Hong Kong Professional Teachers' Union	Survey conducted by Hong Kong Professional Teachers' Union on the enactment of legislation to implement Article 23 of the Basic Law	
032618 - 034008	Mr Albert HO and Hong Kong Overseas Chinese General Association	Meaning of the expression "disestablishes the basic system of the People's Republic of China as established by the Constitution of the People's Republic of China" referred to in new section 2A(1)(a) of the Crimes Ordinance Whether people of Chinese descent and holding foreign citizenship in places such as Indonesia and the Philippines were considered Chinese nationals under the Chinese nationality law	
034009 - 034155	Ms Miriam LAU	Usefulness of the hearings to assist the Bills Committee in its scrutiny of the Bill	
034156 - 034824	Mr CHAN Kam-lam and Hong Kong Catholic Social Communications Office	Whether the Hong Kong Catholic Social Communications Office only concern about the Bill was on the mechanism to proscribe local organizations	
034825 - 035244	Ms Miriam LAU and The Chinese University of Hong Kong Student Union	The Chinese University of Hong Kong Student Union should provide concrete examples on the deficiencies of the Bill	
035245 - 035349	Chairman	Closing remarks	