

**立法會**  
**Legislative Council**

Ref : CB2/BC/2/05

LC Paper No. CB(2)609/06-07  
(These minutes have been seen by  
the Administration)

**Bills Committee on  
Interception of Communications and Surveillance Bill**

**Minutes of meeting  
held on Tuesday, 27 June 2006, at 8:30 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)  
Hon LAU Kong-wah, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Dr Hon David LI Kwok-po, GBS, JP  
Hon Margaret NG  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP  
Hon James TO Kun-sun  
Hon Bernard CHAN, JP  
Hon CHAN Kam-lam, SBS, JP  
Hon SIN Chung-kai, JP  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Howard YOUNG, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon LI Kwok-ying, MH  
Hon Daniel LAM Wai-keung, BBS, JP  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon CHEUNG Hok-ming, SBS, JP  
Hon WONG Ting-kwong, BBS
- Members absent** : Hon Martin LEE Chu-ming, SC, JP  
Dr Hon LUI Ming-wah, SBS, JP

Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Vincent FANG Kang, JP  
Dr Hon Joseph LEE Kok-long  
Hon LEUNG Kwok-hung  
Hon Ronny TONG Ka-wah, SC  
Hon Patrick LAU Sau-shing, SBS, JP

**Public Officers :** Mr Stanley YING  
**attending** Permanent Secretary for Security

Miss S H CHEUNG  
Deputy Secretary for Security

Mr Ian WINGFIELD  
Law Officer (International Law)  
Department of Justice

Ms Sherman CHAN  
Senior Assistant Law Draftsman

Mr Ian MCWALTERS  
Senior Assistant Director of Public Prosecutions

Ms Frances HUI  
Senior Government Counsel

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

**Staff in** : Mr LEE Yu-sung  
**attendance** Senior Assistant Legal Adviser 1

Mr Raymond LAM  
Senior Council Secretary (2)5

Ms Sandy HAU  
Clerical Assistant (2) 1

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## **I. Meeting with the Administration**

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

### 2. The Bills Committee requested the Administration -

#### Clause 46

- (a) to consider including in the Commissioner's annual report information on the number of cases, broken down by department, where disciplinary action had been taken for non-compliance with the relevant requirements;

#### Clause 55

- (b) to consider whether the authorising authority should have the power to initiate revocation of an authorisation; and

#### Schedule 2

- (c) to consider making drafting changes to section 3(5) of Schedule 2.

3. The Administration indicated that it intended to request the President to determine that a Council meeting be held on 2 August 2006 in order that the Second Reading debate on the Bill might be resumed at that Council meeting. The Bills Committee raised no objection to the resumption date of 2 August 2006 proposed by the Administration.

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

4. The Bills Committee noted that that the next meeting had been scheduled for 28 June 2006 at 8:30 am to continue discussion with the Administration.

5. The meeting ended at 10:35 am.

**Proceedings of meeting of the  
Bills Committee on  
Interception of Communications and Surveillance Bill  
on Tuesday, 27 June 2006, at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 - 001911	Chairman Hon Margaret NG Admin Hon CHAN Kam-lam Hon Mrs Selina CHOW Hon Andrew LEUNG Hon Emily LAU Hon Howard YOUNG Hon Albert HO	Timing for resumption of Second Reading debate on the Bill	
001912 - 004926	Chairman Admin Hon James TO Hon Margaret NG Hon Emily LAU	Administration's response in paragraphs 117 to 119 of the Administration's paper entitled "Response to issues raised" (LC Paper No. CB(2)2532/05-06(01)); effect of the proposed clause 55A(4); effect of the Committee Stage amendments (CSAs) proposed in paragraph 119 of the Administration's paper	<b>Admin to consider whether the authorising authority should have the power to initiate revocation of an authorisation</b>
004927 - 012250	Admin Hon James TO Hon Emily LAU Hon Albert HO Chairman	Administration's response in paragraph 120 of the Administration's paper entitled "Response to issues raised" (LC Paper No. CB(2)2532/05-06(01)); whether there were provisions setting out the consequences of non-compliance with the code of practice	<b>Admin to consider including in the Commissioner's annual report information on the number of cases, broken down by department, where disciplinary action had been taken for non-compliance with the relevant requirements</b>

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
012251 - 012429	Chairman Admin	Administration's response in paragraphs 121 to 123 of the Administration's paper entitled "Response to issues raised" (LC Paper No. CB(2)2532/05-06(01))	
012430 - 012843	Hon Emily LAU Chairman Hon James TO Hon Margaret NG Admin Hon Howard YOUNG	Timing for the provision of the draft code of practice to the Bills Committee	
012844 - 014101	Admin Hon Margaret NG Hon James TO Chairman SALA1	Administration's response in paragraphs 124 to 126 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); whether there were differences in meaning between "in private" and "in camera"	
014102 - 015614	Admin Hon James TO Chairman	Administration's response in paragraphs 127 to 128 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); effect and drafting of section 3(5) of Schedule 2	<b>Admin to consider making drafting changes to section 3(5) of Schedule 2</b>
015615 - 020249	Admin Hon Margaret NG Hon James TO Chairman	Administration's response in paragraphs 129 to 130 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); whether sections 1,2 and 4 of Schedule 2 should be moved to the principal legislation	
020250 - 020310	Chairman	Date of next meeting	