

**立法會**  
**Legislative Council**

Ref : CB2/BC/5/06

LC Paper No. CB(2)1986/06-07  
(These minutes have been seen by  
the Administration)

**Bills Committee on  
Shenzhen Bay Port Hong Kong Port Area Bill**

**Minutes of meeting  
held on Friday, 23 March 2007, at 2:47 pm  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)  
Hon KWONG Chi-kin (Deputy Chairman)  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon Howard YOUNG, SBS, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon CHEUNG Hok-ming, SBS, JP
- Members absent** : Hon Bernard CHAN, GBS, JP  
Dr Hon Philip WONG Yu-hong, GBS  
Hon WONG Yung-kan, JP  
Hon Abraham SHEK Lai-him, JP  
Hon CHIM Pui-chung
- Public Officers attending** : Ms Grace LUI  
Deputy Secretary for Security
- Miss Ada CHAN  
Assistant Secretary for Security
- Ms Fanny IP  
Senior Assistant Law Draftsman
- Ms Cindy YAU  
Senior Government Counsel

Mr Paul TSANG  
Senior Government Counsel

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

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

Mr Timothy TSO  
Assistant Legal Adviser 2

Mr Raymond LAM  
Senior Council Secretary (2) 5

Ms CHAU Kwan-bing  
Legislative Assistant (2) 8

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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 -
  - (a) to further explain its view that there was no need for the Decision of the Standing Committee of the National People's Congress on Authorising the Hong Kong Special Administrative Region (HKSAR) to Exercise Jurisdiction over the Hong Kong Port Area (HKPA) at the Shenzhen Bay Port (the NPCSC's Decision) to be included in Annex III to the Basic Law (BL); and
  - (b) to further explain its view that the NPCSC's Decision was intended to confer, for the purpose of Article 20 of BL (BL20), additional powers on the HKSAR.
3. The Administration advised that it would propose Committee Stage amendments to the Bill to deal with the expiry of the Bill when enacted.
4. Ms Emily LAU requested the Administration to state in the speech to be delivered by the Secretary for Security during the resumption of Second

Reading debate on the Bill that the additional powers conferred under BL20 would not deprive the rights of Hong Kong residents protected under BL.

**II. Date of next meeting**

5. The Bills Committee noted that the next meeting would be held on 24 March 2007 at 9:00 am to continue discussion with the Administration.

6. The meeting ended at 4:50 pm.

Council Business Division 2  
Legislative Council Secretariat  
29 May 2007

**Proceedings of meeting of the  
Bills Committee on  
Shenzhen Bay Port Hong Kong Port Area Bill  
on Friday, 23 March 2007, at 2:47 pm  
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 -<br>000313 | Chairman<br>Hon Emily LAU   | Relevant papers   |   |
| 000314 -<br>000820 | Admin<br>Hon Emily LAU<br>Chairman<br>Hon James TO  | Administration's response on the issue of allowing the erection of advertisement panels on the Shenzhen Bay Bridge (SBB) (LC Paper No. CB(2)1408/06-07(01); speed limit for vehicles using SBB  |   |
| 000821 -<br>002839 | Chairman<br>Admin<br>Hon James TO<br>Hon Miriam LAU   | Administration's proposed Committee Stage amendments (CSAs) to the Bill; relationship between "relevant date" and the date on which the enacted legislation commenced operation   |   |
| 002840 -<br>003118 | Hon James TO<br>Chairman<br>Admin   | Timing for commencement of operation of clause 1(3)   |   |
| 003119 -<br>003306 | Hon Emily LAU<br>Chairman<br>Admin  | CSAs to be proposed by the Administration   |   |
| 003307 -<br>004335 | Hon James TO<br>Hon Emily LAU<br>Chairman<br>Admin  | Effect of clause 15(2); whether the laws of Hong Kong could be applied to the Hong Kong Port Area (HKPA) before the date of commissioning of the Shenzhen Bay Port  |   |
| 004336 -<br>020401 | Chairman<br>Hon Emily LAU<br>Admin<br>SALA1<br>Hon Margaret NG<br>Hon James TO<br>Hon TAM Yiu-chung | Administration's supplementary paper on constitutional and jurisdictional issues; paper prepared by the Legal Service Division on whether the Legislative Council might enact a bill which sought to provide for matters outside the territorial limits of Hong Kong; whether there was a need for the Decision | <b>Admin to further explain its view that there was no need for the NPCSC's Decision to be included in Annex III to BL; to further explain its view that the NPCSC's Decision</b> |

| Time marker     | Speaker  | Subject(s)  | Action Required  |
|-----------------|----------|---|--|
|                 |          | of the Standing Committee of the National People's Congress on Authorising the Hong Kong Special Administrative Region (HKSAR) to Exercise Jurisdiction over HKPA at the Shenzhen Bay Port (the NPCSC's Decision) to be included in Annex III to the Basic Law (BL) | <b>was intended to confer, for the purpose of BL20, additional powers on the HKSAR</b> |
| 020402 - 020421 | Chairman | Date of next meeting  |  |

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