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21 May 2008

Miss Jennifer MAK, JP
Director of Administration
Administration Wing, Chief Secretary
for Administration's Office
12/F, West Wing, CGO
11 Ice House Street
Central
HONG KONG
(Fax No. 2524 7103)

Dear Miss MAK,

Prevention of Bribery (Amendment) Bill 2007

At the meeting of the Bills Committee on 19 May 2008, Members were advised of the Administration's position that disclosing the subject or details of investigation in respect of an offence under the Prevention of Bribery Ordinance (Cap. 201) for the purpose of invoking the impeachment procedures under BL73(9) is within the meaning of lawful authority or reasonable excuse under section 30 of the Ordinance.

I should be grateful if the Administration could provide to the Bills Committee the relevant legal advice or an elaboration on the basis for its position to facilitate its consideration of the adequacy of the protection that could be afforded to Members or staff of the Legislative Council Secretariat by those provisions of the section at various stages of the impeachment process.

Yours sincerely,

(Arthur CHEUNG)
Senior Assistant Legal Adviser

c.c. Clerk to Bills Committee