

SBCR 20/15/5691/74
LS/S/27/07-08
2869 9204
2877 5029

23 April 2008

Secretary for Security
(Attention: Miss LEUNG Ka Ying, Linda,
AS (Security) E2)
Security Bureau
6th floor, Main and East Wings
Central Government Offices
Hong Kong

BY FAX
Fax No. : 2810 7702

Dear Miss LEUNG,

**Fugitive Offenders (Transnational Organized Crime) Order and
Mutual Legal Assistance in Criminal Matters
(Transnational Organized Crime) Order**

I am scrutinizing the legal and drafting aspects of the above Orders. I would be most grateful if you could clarify the following matter:-

In Article 2(b) of the United Nations Convention Against Transnational Organized Crime, the Chinese text of “構成可受到最高刑至少四年的剝奪自由或更嚴厲處罰的犯罪的行爲” does not appear to reflect the English text of “conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty”. Please consider whether the Chinese rendition of “最高刑至少四年” should be amended to “最高刑罰至少四年”.

I shall be most grateful if you could let me have your response in both Chinese and English on the above query by close of play tomorrow.

Yours sincerely,

(Timothy TSO)
Assistant Legal Adviser

cc. LA
SALA1