

立法會
Legislative Council

LC Paper No. LS64/99-00

**Paper for the House Committee Meeting
of the Legislative Council
on 21 January 2000**

**Legal Service Division Further Report on
Consular Relations Bill**

At the House Committee Meeting held on 17 December 1999, the Legal Advisor reported that the Division was seeking clarification from the Administration on a number of drafting and legal points. Since the meeting, the Administration's response has been received and studied.

2. Consequent upon the points raised by the Division, the Administration has confirmed that it intends to move the Committee Stage amendments set out in the Annex.

3. The proposed CSAs are technical in nature. The amendment to clause 3(4) makes the provision consistent with the relevant definitions in the Vienna Convention on Consular Relations and the Regulations of the People's Republic of China on Diplomatic Privileges and Immunities. The CSAs in respect of clauses 3(8) and 4 put it beyond doubt that all the Orders to be made by the Chief Executive in Council under clause 4 will be published in the Gazette and are subsidiary legislation.

4. Subject to the CSAs, the legal and drafting aspects of the Bill are in order. Should Members have no other queries, the Bill is ready for resumption of the Second Reading debate.

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18 January 2000

CONSULAR RELATIONS BILL

COMMITTEE STAGE

Amendments to be moved by the Chief Secretary for Administration

<u>Clause</u>	<u>Amendment Proposed</u>
3(4)	<p>By deleting everything after "if it has been" and substituting -</p> <p>"expressed by -</p> <p>(a) the person charged with the duty of acting in the capacity of; or</p> <p>(b) any person for the time being performing the functions of, head, of the superintending diplomatic mission of that State or of the consular post concerned.".</p>
3(8)	<p>By adding "in the Gazette under section 4" after "by order".</p>
4	<p>By adding "in the Gazette" after "by order" wherever it appears.</p>

