

立法會
Legislative Council

LC Paper No. CB(2) 2147/00-01
(These minutes have been seen by
the Administration)

Ref : CB2/BC/1/00

**Bills Committee on
Immigration (Amendment) Bill 2000**

**Minutes of meeting
held on Thursday, 7 June 2001 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Ambrose LAU Hon-chuen, JP (Chairman)
Hon Cyd HO Sau-lan
Hon Margaret NG
Hon James TO Kun-sun
Hon Andrew WONG Wang-fat, JP
Hon Howard YOUNG, JP
Hon LAU Kong-wah
Hon Audrey EU Yuet-mee, SC, JP

Public Officers attending : Mr Timothy TONG, JP
Deputy Secretary for Security 3

Ms Linda K P SO
Principal Assistant Secretary for Security C

Ms Winnie NG
Assistant Secretary for Security C

Mr Gilbert MO
Deputy Law Draftsman

Mr Wesley WONG
Acting Deputy Principal Government Counsel

Dr C M LAU
Chief Chemist

Dr LAW Man-ye, Betty
Senior Chemist

Mr Henry C K SIU
Assistant Director of Immigration (Visa & Policies)

Mrs Ann K L CHOW
Principal Immigration Officer

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

Staff in attendance : Mr Arthur CHEUNG
Assistant Legal Adviser 5

Mr Raymond LAM
Senior Assistant Secretary (2)5

Action

I. Draft Committee Stage amendments proposed for adoption by the Bills Committee
(LC Paper Nos. LS95/00-01 and LS97/00-01)

The Chairman said that members agreed by majority vote at the previous meeting held on 7 May 2001 that the Bills Committee would move the Committee Stage amendments (CSAs) proposed by Miss Margaret NG and Ms Audrey EU to the proposed section 2AB(12) to the effect that the Gazette notice in respect of the genetic test procedure and the fee for the test were subsidiary legislation and to the Chinese text of the proposed section 2AB(7)(a), subject to the advice of Assistant Legal Adviser 5 (ALA5) on the technical and drafting aspects. After the meeting, two sets of draft CSAs prepared by ALA5 had been issued to members on 8 May 2001 vide LC paper No. LS 95/00-01. ALA5 was subsequently informed by Miss NG that the English text of the proposed section 2AB(7)(a) should also be amended. ALA5 therefore prepared a new set of draft CSAs, which were issued vide LC Paper No. LS 97/00-01 on 10 May 2001, incorporating Miss NG's proposed amendments to the English text of the proposed section 2AB(7)(a). As the proposed amendment to the English text of the proposed section 2AB(7)(a) had not been discussed by members, it was necessary to hold this meeting to discuss whether it should be moved by the Bills Committee.

Action

2. ALA5 explained that the new draft CSAs, which had incorporated Miss Margaret NG's proposed amendments to the English text of the proposed section 2AB(7)(a), would have the effect of allowing the Director of Immigration to specify the manner of a genetic test but without requiring the test to be conducted only in the manner specified.
3. Mr Howard YOUNG said that he had voted at the previous meeting against the Bills Committee moving the amendment proposed by Miss Margaret NG and Ms Audrey EU in respect of the Chinese text of the proposed section 2AB(7)(a). However, it would appear peculiar if the CSA to the Chinese text of the proposed section 2AB(7)(a) was moved by the Bills Committee but the CSA to the English text was moved by a Member. In view of this, Mr YOUNG considered that the proposed CSA to the English text of the proposed section 2AB(7)(a) might also be moved by the Bills Committee.
4. Members agreed that the CSAs as set out in LC Paper No. LS 97/00-01(03) and (04) be moved by the Chairman on behalf of the Bills Committee.
5. The Chairman concluded that subject to the CSAs to be moved respectively by the Administration and the Bills Committee, the Bills Committee supported the resumption of Second Reading debate on the Bill.
6. In response to the Chairman's question about the date for resumption of Second Reading debate on the Bill, Deputy Secretary for Security 3 said the earliest date for resumption of the Second Reading debate on the Bill would be 27 June 2001, but that he had noted that the law draftsman had yet to examine the technical aspects of the CSAs. The Chairman said that if the Second Reading debate on the Bill was to resume on 27 June 2001, the deadline for giving notice of the resumption would be 11 June 2001.
7. The meeting ended at 4:55 pm.

Legislative Council Secretariat

13 July 2001