

立法會
Legislative Council

Ref : CB2/BC/6/01

LC Paper No. CB(2) 1574/02-03
(These minutes have been seen by
the Administration)

**Bills Committee on
Registration of Persons (Amendment) Bill 2001**

**Minutes of meeting
held on Friday, 28 February 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon IP Kwok-him, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
Hon Howard YOUNG, JP
Hon LAU Kong-wah
Hon Miriam LAU Kin-ye, JP
Hon Henry WU King-cheong, BBS, JP
Hon LEUNG Fu-wah, MH, JP
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Hon SIN Chung-kai
Hon Emily LAU Wai-hing, JP

Public Officers attending : Mr Michael WONG
Deputy Secretary
Security Bureau

Mr Alan CHU
Principal Assistant Secretary
Security Bureau

Ms Anne TENG
Assistant Secretary
Security Bureau

Mr Michael STONE
E-government Coordinator
Commerce, Industry and Technology Bureau

Ms Joyce TAM
Principal Assistant Secretary
Commerce, Industry and Technology Bureau

Mr Gilbert MO
Deputy Law Draftsman
Department of Justice

Miss Amy CHAN
Government Counsel
Department of Justice

Miss Clare LEE
Legal Trainee Solicitor

Mr WONG Tat-po
Deputy Director
Immigration Department

Mr Raymond WONG Wai-man
Assistant Director
Immigration Department

Mr TSOI Hon-kuen
Assistant Director
Immigration Department

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

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mr Raymond LAM
Senior Assistant Secretary (2)5

I. Meeting with the Administration

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee requested the Administration to improve the drafting of the proposed Committee Stage amendments (CSAs) to clause 10 of the Bill to clarify the person to which the term "某人" referred.
3. The Administration undertook to -
 - (a) delete the proposed new section 7(2A)(b)(iii) in the latest CSAs proposed by the Administration; and
 - (b) provide members with the draft of the form referred to in regulation 4(1)(b) before 19 March 2003.
4. Mr James TO expressed reservations about the Administration's proposed CSA to appoint 12 May 2003 as the commencement date of the Bill. The Administration said that if, on 8 March 2003, the demonstration on the prototype of the Smart Identity Card System indicated that the System was not ready, the Administration was willing to reconsider the commencement date of the Bill.
5. Mr James TO suggested that a CSA be moved by the Bills Committee to amend the reference to "nationality" to "nationality which he claims" and deleting the reference to "marital status" and "occupation" in the proposed new section 7(2A)(b)(i) in the latest CSAs proposed by the Administration. Members agreed that the issue be dealt with after the completion of the examination of the CSAs proposed by the Administration.

II. Date of next meeting

6. The Bills Committee noted that the next meeting had been scheduled for Saturday, 1 March 2003 at 9:00 am to continue discussion with the Administration.
7. The meeting ended at 10:40 am.

Council Business Division 2
Legislative Council Secretariat
24 March 2003

**Proceedings of the meeting of the Bills Committee on
Registration of Persons (Amendment) Bill 2001
on Friday, 28 February 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000-000327	Chairman	Opening remarks and relevant papers	
000328-001024	Hon Audrey EU Hon Miriam LAU Chairman Admin	Situations under which no prosecution action would be recommended even when the data in the chip of an identity card had been altered or erased.	
001025-001126	Chairman Admin	Briefing on the Administration's proposed Committee Stage amendments (CSAs) to the long title of the Bill	
001127-002304	Hon Audrey EU SALA2 Chairman Admin	Circumstances under which the long title of a bill could be amended; amendments proposed by the Administration to the long title of the Bill	
002305-002510	Chairman Admin	Briefing on the Administration's proposed Committee Stage amendments to clause 1(2)	
002511-002817	SALA2 Chairman Admin	Chinese counterpart of the expression "proof of identity" in the proposed CSA to clause 4(a)	
002818-005612	Hon James TO Chairman Hon Mrs Selina CHOW Hon LAU Kong-wah Hon LEUNG Fu-wah Hon Margaret NG Hon Howard YOUNG SALA2 Admin	Whether it was appropriate to appoint 12 May 2003 as the commencement date of the Bill	
005613-005922	Chairman Hon James TO Admin	Administration's proposed amendments to clause 4	

005923-010059	Hon James TO Admin	Whether the provision in the proposed new section 7(2A)(b)(iii) should be narrowed	
010100-013420	Hon James TO Hon Lau Kong-wah Hon Henry WU Hon Audrey EU Hon LEUNG Fu-wah Hon Margaret NG SALA2 Admin	Whether to amend the reference to "nationality" to "nationality which he claims" and delete the references to "marital status" and "occupation" in the proposed new section 7(2A)(b)(i); deletion of the proposed new section 7(2A)(b)(iii) in the latest CSAs proposed by the Administration	
013421-013735	Chairman Hon James TO Admin	Briefing on the Administration's proposed CSAs to clause 7	
013736-014004	Hon James TO SALA2	Whether it was appropriate to use the expression "any record kept by the Commissioner" in the proposed section 11	
014005-014251	Hon Henry WU Admin	Whether there was any difference between the expressions "任何詳情" and "任何紀錄"	
014252-014442	SALA2 Admin	Incorporation of health information in a smart identity card	
014442-014604	Hon James TO Admin	Offence provision against access to information stored in an identity card with an unauthorised smartcard reader	
014605-014729	Admin	Briefing on the Administration's proposed CSAs to clause 9	
014730-014829	Hon James TO Admin	Providing cardholders with the option of providing a person to be contacted in cases of emergency	
014830-014959	Chairman Admin	Briefing on the Administration's proposed CSAs to clause 10	
015000-015216	Hon James TO Admin	Administration's proposed CSAs to clause 9; providing members with the draft of the form referred to in regulation 4(1)(b) before 19 March 2003	

015217-020447	SALA2 Hon Margaret NG Hon James TO Chairman Admin	Improving the drafting of the proposed Committee Stage amendments (CSAs) to clause 10 to clarify the person to which the term "某人" referred	Admin to consider improving the drafting of the proposed Committee Stage amendments (CSAs) to clause 10 to clarify the person to which the term "某人" referred
020448-020637	Hon LAU Kong-wah Chairman	Deletion of "marital status" in the proposed new section 7(2A)(b)(i) and whether the power to verify identity by fingerprint match under the proposed regulation 11A(1)(b) was too narrow	
020638-020809	Chairman Admin Hon Mrs Selina CHOW	Improving the drafting of the proposed Committee Stage amendments (CSAs) to clause 10 to clarify the person to which the term "某人" referred	
020810-020840	Chairman	Date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
24 March 2003