

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2885/01-02  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/9/01

**Bills Committee on United Nations (Anti-Terrorism Measures) Bill**

**Minutes of the 15<sup>th</sup> meeting**  
**held on Wednesday, 3 July 2002 at 10:45 am**  
**in Conference Room A of the Legislative Council Building**

**Members Present** : Hon LAU Kong-wah (Chairman)  
Hon Cyd HO Sau-lan  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP  
Hon CHAN Kam-lam, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, JP  
Dr Hon YEUNG Sum  
Hon Emily LAU Wai-hing, JP

**Members Absent** : Hon Eric LI Ka-cheung, JP  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon Andrew WONG Wang-fat, JP  
Hon Ambrose LAU Hon-chuen, GBS, JP  
Hon Audrey EU Yuet-mee, SC, JP

**Public Officers Attending** : Mr Timothy TONG, JP  
Permanent Secretary for Security (Acting)

Ms Mimi LEE  
Principal Assistant Secretary for Security (Narcotics)

Mr Johann WONG  
Principal Assistant Secretary for Security

Mr Geoffrey Fox  
Senior Assistant Law Draftsman

Mr Lawrence PENG  
Senior Government Counsel  
Law Drafting Division

**Clerk in Attendance** : Ms Doris CHAN  
Chief Assistant Secretary (2) 4

**Staff in Attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

Miss Mary SO  
Senior Assistant Secretary (2) 8

Ms Janet SHUM  
Senior Assistant Secretary (2) 9

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**I. Meeting with the Administration**  
(LC Paper Nos. CB(2)2459/01-02(01) and (02))

The Bills Committee deliberated (Index of proceedings at the **Annex**).

2. The Administration briefed members on the draft Committee Stage amendments (CSAs) to be moved by the Administration as at 28 June 2002 (LC Paper No. CB(2)2459/01-02(01)).

3. In summing up, the Administration agreed to -

- (a) give priority consideration to introducing an amendment bill within six months to deal with the outstanding items relating to procedures to be provided by rules of court and power to make regulations for freezing of property (other than funds) consequent to the deletion of clauses 12, 17, 18 and 19, and Schedules 2 and 3;

- (b) conduct a review regarding the Bills Committee's view that the requirement for "serious default" should be removed from the compensation provision in new clause 16A of the Bill, and to include improvements, if any, in the amendment bill mentioned in paragraph (a) above; and
- (c) review the anti-terrorism measures set out in the Bill periodically in the light of the international trend and report to the Panel on Security at regular intervals.

4. The Chairman invited members to vote whether they would support resumption of the Second Reading debate on the Bill on 10 July 2002. Six members present at the meeting voted in support of the resumption while three voted against it.

5. There being no other business, the meeting ended at 12:15 pm.

Council Business Division 2  
Legislative Council Secretariat  
7 October 2002

**Bills Committee on United Nations (Anti-Terrorism Measures) Bill  
Meeting on Wednesday, 3 July 2002 at 10:45 am  
in Conference Room A of the Legislative Council Building**

| <b>Time</b>     | <b>Speaker</b>  | <b>Subject(s)</b>   | <b>Action required</b> |
|-----------------|-----------------|---|------------------------|
| 000000 - 000419 | Chairman        | To consider the Administration's Committee Stage amendments (CSAs) as at 28 June 2002. Members to indicate CSAs they intended to move, if any |                        |
| 000419 - 000425 | Mrs Selina CHOW | Ditto   |                        |
| 000425 - 000531 | Administration  | Ditto   |                        |
| 000531 - 000545 | Mrs Selina CHOW | Ditto   |                        |
| 000545 - 000555 | Chairman        | Ditto   |                        |
| 000555 - 000722 | Administration  | Ditto   |                        |
| 000722 - 000727 | Chairman        | Ditto   |                        |
| 000727 - 000758 | Administration  | Ditto   |                        |
| 000758 - 001009 | Chairman        | Ditto   |                        |
| 001009 - 001014 | Ms Cyd HO       | Ditto   |                        |
| 001014 - 001017 | Chairman        | Ditto   |                        |
| 001017 - 001022 | Mrs Selina CHOW | Ditto   |                        |
| 001022 - 001030 | Chairman        | Ditto   |                        |
| 001030 - 001040 | Mrs Selina CHOW | Ditto   |                        |
| 001040 - 001045 | Chairman        | Ditto   |                        |
| 001045 - 001050 | Mrs Selina CHOW | Ditto   |                        |
| 001050 - 001054 | Chairman        | Ditto   |                        |
| 001054 - 001130 | Administration  | Ditto   |                        |
| 001130 - 001500 | Administration  | Additional amendments to be included in the further revision of the CSAs  |                        |
| 001500 - 001510 | Mrs Selina CHOW | Ditto   |                        |
| 001510 - 001521 | Administration  | Ditto   |                        |
| 001521 - 001530 | Ms Emily LAU    | Ditto   |                        |
| 001530 - 001628 | Administration  | Ditto   |                        |
| 001628 - 001630 | Mrs Selina CHOW | Ditto   |                        |
| 001630 - 001750 | Administration  | Ditto   |                        |
| 001750 - 001804 | Ms Cyd HO       | Ditto   |                        |
| 001804 - 002109 | Administration  | Ditto   |                        |
| 002109 - 002110 | Ms Cyd HO, ALA  | Enquired on the changes made to clause 13(4) as regards "the civil standard of proof"   |                        |
| 002110 - 002124 | Ms Cyd HO       | Ditto   |                        |
| 002124 - 002136 | ALA             | Ditto   |                        |
| 002136 - 002146 | Ms Cyd HO       | Ditto   |                        |
| 002146 - 002209 | ALA             | Ditto   |                        |
| 002209 - 002214 | Ms Cyd HO       | Ditto   |                        |
| 002214 - 002218 | ALA             | Ditto   |                        |
| 002218 - 002225 | Ms Cyd HO       | Ditto   |                        |
| 002225 - 002234 | ALA             | Ditto   |                        |

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|-----------------|--|--|--|
| 002234 - 002249 | Ms Emily LAU                           | Ditto  |  |
| 002249 - 002253 | Administration                         | No amendments proposed to clause 10 of the Bill  |  |
| 002253 - 002303 | Ms Cyd HO                              | Ditto  |  |
| 002303 - 002316 | Mrs Selina CHOW                        | Ditto  |  |
| 002316 - 002330 | Ms Emily LAU                           | Ditto  |  |
| 002330 - 002347 | Mrs Selina CHOW                        | The Liberal Party would consider moving a CSA to clause 10(1) to provide that the communication or making available of any information must be with the intention to cause alarm to the public or a section of the public before an offence will be committed  |  |
| 002347 - 002354 | Chairman                               | Ditto  |  |
| 002354 - 002358 | Ms Cyd HO                              | Ditto  |  |
| 002358 - 002434 | Mrs Selina CHOW                        | Ditto  |  |
| 002434 - 002442 | Mr Albert HO                           | Ditto  |  |
| 002442 - 002444 | Chairman, Administration, Ms Emily LAU | Amendments to clauses 14 to 19 in the CSAs   |  |
| 002444 - 002452 | Chairman                               | Ditto  |  |
| 002452 - 003215 | Administration                         | Ditto  |  |
| 003215 - 003228 | Ms Emily LAU                           | Enquiry on clause 19(2)(b) which specified the condition which the proceedings inter partes should be held in chambers or in camera  |  |
| 003228 - 003245 | Administration                         | Ditto  |  |
| 003245 - 003253 | Ms Emily LAU                           | Ditto  |  |
| 003253 - 003301 | Administration                         | Ditto  |  |
| 003301 - 003306 | Ms Emily LAU                           | Ditto  |  |
| 003306 - 003335 | ALA                                    | Ditto  |  |
| 003335 - 003340 | Chairman, Ms Emily LAU                 | Ditto  |  |
| 003340 - 003429 | ALA                                    | Ditto  |  |
| 003429 - 003453 | Administration                         | Ditto  |  |
| 003453 - 003510 | Ms Cyd HO                              | Ditto  |  |
| 003510 - 003517 | ALA                                    | Ditto  |  |
| 003517 - 003536 | Ms Cyd HO                              | Ditto  |  |
| 003536 - 003601 | ALA                                    | Ditto  |  |
| 003601 - 003611 | Ms Cyd HO                              | Ditto  |  |
| 003611 - 003617 | ALA                                    | Ditto  |  |
| 003617 - 003624 | Chairman, Administration               | Ditto  |  |
| 003624 - 004412 | Administration                         | The Administration would give priority consideration to introducing an amendment bill to deal with the outstanding items.<br><br>The Security Bureau would further discuss with the Department of Justice and the relevant policy bureau to review clause 16A. |  |
| 004412 - 004418 | Chairman                               | Ditto  |  |
| 004418 - 004437 | Administration                         | The amendment bill would be submitted in the last quarter of 2002  |  |
| 004437 - 004656 | Ms Cyd HO                              | Requested the Administration to review the anti-terrorism measures set out in the Bill periodically to ensure that they were in line with the international trend  |  |
| 004656 - 004739 | Administration                         | Suggested that the anti-terrorism measures be  |  |

|                 |                 |  |  |
|-----------------|-----------------|--|--|
|                 |                 | brought up regularly by the Panel on Security as an item for discussion  |  |
| 004739 - 004821 | Chairman        | The Administration should forward the final CSAs for members' information by 3 pm of that day  |  |
| 004821 - 004939 | Dr YEUNG Sum    | Urged the Administration to revise the years of imprisonment under clause 17(6) in future amendment  |  |
| 004939 - 004946 | Chairman        | Ditto  |  |
| 004946 - 005000 | Administration  | Ditto  |  |
| 005000 - 005005 | Mr Albert HO    | Compensation clauses of other Ordinances should also be reviewed to ensure consistency   |  |
| 005005 - 005256 | Mr Albert HO    | Ditto  |  |
| 005256 - 005514 | Administration  | Ditto  |  |
| 005514 - 005620 | Administration  | Ditto  |  |
| 005620 - 005723 | ALA             | Ditto  |  |
| 005723 - 005738 | Ms Emily LAU    | Ditto  |  |
| 005738 - 005802 | Administration  | Ditto  |  |
| 005802 - 005816 | Chairman        | To alert other members that a vote was about to be taken   |  |
| 005816 - 005823 | Ms Cyd HO       | Ditto  |  |
| 005823 - 005914 | Ms Emily LAU    | Commencement of the various provisions of the Bill   |  |
| 005914 - 010152 | ALA             | The Administration had indicated that clauses 4A, 5, 7, 14A, 16 and 16A would not come into operation until the rules of court had been made under clause 18 |  |
| 010152 - 010224 | Ms Emily LAU    | Ditto  |  |
| 010224 - 010406 | Administration  | Significance of passing clauses 4, 8 and 9 of the Bill   |  |
| 010406 - 010412 | Chairman        | Ditto  |  |
| 010412 - 010433 | Mr Jasper TSANG | Ditto  |  |
| 010433 - 010534 | Ms Emily LAU    | Sufficient time should be given for the deliberation of the future amendment bill  |  |
| 010534 - 010614 | Administration  | Ditto  |  |
| 010614 - 010709 | Ms Emily LAU    | Ditto  |  |
| 010709 - 010715 | Chairman        | Members to vote and express their views on the resumption of the Second Reading debate   |  |
| 010715 - 010947 | Dr YEUNG Sum    | Supported resumption and Miss Margaret NG's CSAs to clauses 10 and 16A   |  |
| 010947 - 011450 | Ms Cyd HO       | Would not support resumption   |  |
| 011450 - 011729 | Mr Howard YOUNG | Supported resumption   |  |
| 011729 - 012155 | Ms Emily LAU    | Would not support resumption   |  |
| 012155 - 012357 | Mr CHAN Kam-lam | Supported resumption   |  |
| 012357 - 012410 | Chairman        | Six members voted in support of resumption and three voted against it  |  |
| 012410 - 012419 | Dr YEUNG Sum    | Ditto  |  |
| 012419 - 012432 | Ms Cyd HO       | Ditto  |  |
| 012432 - 012524 | Chairman        | End of meeting   |  |

Legislative Council Secretariat  
7 October 2002