立法會 Legislative Council

LC Paper No. CB(2)1370/02-03 (These minutes have been seen by the Administration)

Ref: CB2/SS/12/01

Subcommittee on United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 and United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002

> Minutes of the 4th meeting held on Tuesday, 25 February 2003 at 10:45 am in Conference Room B of the Legislative Council Building

Members : Hon Margaret NG (Chairman)

Present Hon LAU Kong-wah

Hon Audrey EU Yuet-mee, SC, JP

Members : Hon Cyd HO Sau-lan
Absent Hon James TO Kun-sun

Member: Hon Martin LEE Chu-ming, SC, JP

Attending

Public Officers: Miss Anita CHAN

Attending Principal Assistant Secretary for Commerce, Industry and

Technology (Commerce and Industry)

Mr LAU Wai-ming

Assistant Secretary for Commerce, Industry and Technology

(Commerce and Industry)

Mrs Margaret CHAN

Principal Assistant Secretary for Security

Ms Manda CHAN

Assistant Secretary for Security

Mr John HUNTER

Deputy Principal Government Counsel

Clerk in : Ms Doris CHAN

Attendance Chief Assistant Secretary (2) 4

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

Miss Mary SO

Senior Assistant Secretary (2) 8

I. Meeting with the Administration

(LC Paper No. CB(2)1252/02-03(01))

The Subcommittee deliberated (Index of proceedings at Annex).

- 2. <u>Members</u> agreed that there was no need to hold further meeting to discuss the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 (the Afghanistan Regulation) and United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002. <u>Members</u> further agreed that a report summarising the deliberations of the Subcommittee and incorporating the legal opinions on the following issues should be circulated to members for endorsement before submitting it to the House Committee for consideration -
 - (a) Refusal to release the instruction from the Ministry of Foreign Affairs of the People's Republic of China (PRC) to implement a resolution made by the United Nations Security Council;
 - (b) Validity of the Afghanistan Regulation made under section 3(1) of the United Nations Sanctions Ordinance (Cap. 537);
 - (c) Exercise of power to amend or repeal certain provisions of the Afghanistan Regulation which overlapped with that of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) ("overlapping provision"); and
 - (d) Implications of the overlapping provisions of the Afghanistan Regulation.
- 3. There being no other business, the meeting ended at 11:55 am.

Council Business Division 2
<u>Legislative Council Secretariat</u>
4 March 2003

Annex

Proceedings of the 4th meeting of the Subcommittee on United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 and United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002 on Tuesday, 25 February 2003 at 10:45 am in Conference Room B of the Legislative Council Building

Time	Speaker	Subject(s)	Action
Marker			Required
000000 - 000221	Chairman and Administration	Opening remarks	
000222 - 003558	Ms Audrey EU, Administration, Ms Audrey EU and Mr Martin LEE	Release of correspondence between Central People's Government (CPG) and the Hong Kong Special Administrative Region Government to persons outside the Administration	
003559 - 010454	Ms Audrey EU, Administration, Chairman, Mr Martin LEE and ALA1	Repeal of certain sections of the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 (the Afghanistan Regulation)	
010455 - 010934	Ms Audrey EU, Chairman and ALA1	Concluding remarks The Secretariat was requested to prepare a report summarising the deliberations of the Subcommittee and the legal opinions on the following issues - (a) Refusal to release the instruction from the Ministry of Foreign Affairs of PRC to implement a resolution made by the United Nations Security Council; (b) Validity of the Afghanistan Regulation made under section 3(1) of the United Nations Sanctions Ordinance (Cap. 537); (c) Exercise of power to amend or repeal certain provisions of the Afghanistan Regulation which overlapped with that of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) ("overlapping provision"); and (d) Implications of the overlapping provisions of the Afghanistan	

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

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