

立法會
Legislative Council

LC Paper No. CB(2)807/02-03

(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 2nd meeting
held on Tuesday, 10 December 2002 at 10:45 am
in Conference Room B of the Legislative Council Building**

Members Present : Hon Margaret NG (Chairman)
Hon James TO Kun-sun
Hon LAU Kong-wah
Hon Audrey EU Yuet-mee, SC, JP

Member Absent : Hon Cyd HO Sau-lan

Public Officers Attending : Miss Anita CHAN
Principal Assistant Secretary for Commerce, Industry and
Technology (Commerce and Industry)

Mr Johann WONG
Principal Assistant Secretary for Security

Mr John HUNTER
Deputy Principal Government Counsel

Mr Jeffrey CHAN
Assistant Secretary for Commerce, Industry and Technology
(Commerce and Industry)

Ms Manda CHAN
Assistant Secretary for Security

Action

Ms Helen W M CHAN
Principal Immigration Officer
Immigration Department

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

Staff in Attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Miss Monna LAI
Assistant Legal Adviser 7

Miss Mary SO
Senior Assistant Secretary (2) 8

I. Meeting with the Administration

(LC Paper Nos. CB(2)477/02-03(01) and CB(2)573/02-03(01))

The Subcommittee deliberated (Index of proceedings at **Annex**).

2. Members noted the following papers tabled at the meeting -

- (a) United Nations Security Council Resolution (UNSCR) 1439; and
- (b) The Assistant Legal Adviser's letter to the Administration dated 3 December 2002 regarding the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 (the Afghanistan Regulation) and the Administration's response dated 6 December 2002.

3. The Administration was requested to provide the following -

- (a) A paper on why the Administration considered it appropriate for the Director of Immigration to exercise discretion conferred on him by the Immigration Ordinance to process entry applications from the senior officials of the National Union for the Total Independence of Angola and their immediate family members and consider whether to issue entry visas to them during the period from 17 May 2002 to 17 October 2002 when the United Nations Sanctions (Angola) Regulation was still in force;

Action

- (b) A copy of the instruction from the Ministry of Foreign Affairs of the People's Republic of China to implement UNSCR 1390 in the Hong Kong Special Administrative Region; and
- (c) A table setting out the sections of the Afghanistan Regulation which could or could not be covered by the United Nations (Anti-Terrorism Measures) Ordinance (the Anti-Terrorism Ordinance), and the reasons why they could not be covered by the Anti-Terrorism Ordinance.

II. Date of next meeting

- 4. The Clerk was requested to fix a date for the next meeting to be held in early or mid-January 2003.
- 5. There being no other business, the meeting ended at 12:10 pm.

Council Business Division 2
Legislative Council Secretariat
3 January 2003

**Proceedings of the 2nd meeting of the
Subcommittee on United Nations Sanctions
(Afghanistan) (Amendment) Regulation 2002 and
United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002
on Tuesday, 10 December 2002 at 10:45 am
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000230	Chairman	Opening remarks	
000231 - 003705	Administration, Chairman, Mr LAU Kong-wah and Mr James TO	Administration's response to issues raised by members on 30 October 2002 concerning the United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002 (LC Paper No. CB(2)477/02-03(01)) The Administration was requested to provide a paper on why the Administration considered it appropriate for the Director of Immigration to exercise discretion conferred on him by the Immigration Ordinance to process entry applications from the senior officials of the National Union for the Total Independence of Angola and their immediate family members and consider whether to issue entry visas to them during the period from 17 May 2002 to 17 October 2002 when the United Nations Sanctions (Angola) Regulation was still in force	✓ (Admin to provide a written response)
003706 - 004221	Chairman, Administration	Administration's response to issues raised by members on 30 October 2002 concerning the United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 (the Afghanistan Regulation) (LC Paper No. CB(2)477/02-03(01))	
004222 - 005641	Chairman, Administration, Mr LAU Kong-wah and ALA1	Timing for repealing those sections of the Afghanistan Regulation which were sufficiently covered by the United Nations (Anti-Terrorism Measures) Ordinance (the Anti-Terrorism Ordinance) The Administration was requested to provide a table setting out the sections of the Afghanistan Regulation which could or could not be covered by the Anti-Terrorism Ordinance, and the reasons why they could not be covered by the Anti-Terrorism Ordinance	✓ (Admin to provide the paper)

Action

005642 - 011716	Chairman, Administration and Mr James TO	Appropriateness of making the Afghanistan Regulation under the United Nations Sanctions Ordinance The Administration was requested to provide a copy of the instruction from the Ministry of Foreign Affairs of the People's Republic of China to implement United Nations Security Council Resolution 1390 in the Hong Kong Special Administrative Region	✓ (Admin to provide the instruction)
011717 - 011943	Chairman and Administration	Regulations made under section 3 of the United Nations Sanctions Ordinance be subject to vetting by the Legislative Council	
011944 - 012415	Chairman, Mr LAU Kong-wah and Administration	Way forward and 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
3 January 2003