

立法會
Legislative Council

Ref : CB2/BC/5/02

LC Paper No. CB(2) 2964/02-03
(These minutes have been seen by
the Administration)

**Bills Committee on
National Security (Legislative Provisions) Bill**

**Minutes of meeting
held on Saturday, 21 June 2003 at 2:00 pm
in the Chamber of the Legislative Council Building**

Members present : Hon IP Kwok-him, JP (Chairman)
Hon Ambrose LAU Hon-chuen, GBS, JP (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon Cyd HO Sau-lan
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, JP
Hon NG Leung-sing, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
Hon HUI Cheung-ching, JP
Hon CHAN Kwok-keung
Hon CHAN Kam-lam, JP
Hon SIN Chung-kai
Dr Hon Philip WONG Yu-hong
Hon WONG Yung-kan
Hon Howard YOUNG, JP
Hon YEUNG Yiu-chung, BBS
Hon LAU Kong-wah
Hon Miriam LAU Kin-ye, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Henry WU King-cheong, BBS, JP
Hon LAU Ping-cheung
Hon MA Fung-kwok, JP

- Members absent :** Dr Hon David CHU Yu-lin, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, JP
Hon CHEUNG Man-kwong
Hon Bernard CHAN, JP
Hon LEUNG Yiu-chung
Hon Andrew WONG Wang-fat, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LAU Chin-shek, JP
Hon LAU Wong-fat, GBS, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Dr Hon LAW Chi-kwong, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
Hon WONG Sing-chi
Hon Audrey EU Yuet-mee, SC, JP
- Public Officers attending :** Mrs Regina IP, GBS, JP
Secretary for Security
- Mr Timothy TONG, JP
Permanent Secretary for Security (Acting)
- Mr Bob ALLCOCK, BBS, JP
Solicitor General
- Mr Gilbert MO
Deputy Law Draftsman
- Mr Johann WONG
Principal Assistant Secretary for Security
- Mr James O'NEIL
Deputy Solicitor General
- Ms Winnie NG
Administrative Assistant to Secretary for Security

Miss Adeline WAN
Senior Government Counsel

Ms Francoise LAM
Senior Government Counsel

Mr Hubert LAW
Assistant Secretary for Security

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

Staff in attendance : Mr Jimmy MA, JP
Legal Adviser

Ms Bernice WONG
Assistant Legal Adviser 1

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 consider providing that participating in legal proceedings would not constitute an offence under the proposed new section 8C(1) of the Societies Ordinance.

3. The meeting ended at 6:15 pm.

**Proceedings of the meeting of the Bills Committee on
National Security (Legislative Provisions) Bill
on Saturday, 21 June 2003 at 2:00 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000-000042	Chairman	Opening remarks	
000043-001158	Hon LEE Cheuk-yan Hon Howard YOUNG Dr Hon Philip WONG Chairman Hon NG Leung-sing Admin	Views of the business sector and banking sector on the proposed new Schedule 2 to the Societies Ordinance (SO)	
001159-001754	Hon Margaret NG Admin Chairman	Whether the Administration should consult the commercial sector on the proposed new Schedule 2 to SO	
001755-002737	Hon HUI Cheung-ching Hon Emily LAU Hon CHAN Kam-lam Chairman Dr Hon Philip WONG Hon James TO Hon Margaret NG Hon Martin LEE	Views of the Hong Kong Chinese Importers' and Exporters' Association on the proposals in the Bill	
002738-002916	Hon Emily LAU Chairman Hon Margaret NG	Whether the Legal Adviser should brief members on paragraphs 18 to 34 of the paper entitled "Matters following proscription of an organization under proposed new section 8A of the Societies Ordinance" (Paper No. 102) prepared by the Legal Service Division	
002917-004329	LA	Briefing on paragraphs 18 to 34 of Paper No. 102	

Time marker	Speaker	Subject(s)	Action Required
004330-004743	Admin	Administration's response to issues raised in paragraphs 18 to 34 of Paper No. 102	Admin to consider providing that participating in legal proceedings would not constitute an offence under the proposed new section 8C(1) of SO
004744-010437	Hon Emily LAU LA Admin	Whether the Registrar of Companies should be given the discretion to defer dissolution of a proscribed unregistered company; winding-up of a proscribed organization registered under the Building Management Ordinance; why organizations registered under Ordinances other than the Companies Ordinance would be regarded as unregistered companies under the proposed section 2 of the proposed new Schedule 2 to SO	
010438-011332	Hon Margaret NG Admin	Proscribed organizations registered under the Limited Partnerships Ordinance	
011333-012328	Hon Cyd HO LA Admin	Information on local legislation relating to the registration of religious organizations	
012329-013024	Hon Miriam LAU Admin LA	Proscribed organizations registered under the Limited Partnerships Ordinance; registration of religious organizations	

Time marker	Speaker	Subject(s)	Action Required
013025-014131	Hon Albert HO Admin LA	Proscribed organizations registered under the Limited Partnerships Ordinance; possibility of proscription of an unincorporated trust established solely for a charitable purpose or for the purpose of engaging in a retirement scheme approved under section 87A of the Inland Revenue Ordinance	
014132-015835	Hon Martin LEE Admin Chairman	Mechanism for proscription of a local organization under the proposed new section 8A(2)(c) of SO; issues relating to a certificate referred to in the proposed new section 8A(3) of SO	
015836-021012	Hon Emily LAU Admin LA Chairman	Access to evidence and burden of proof under the special procedures for an appeal against proscription	
[Break]			
022111-022909	Hon Margaret NG Chairman	Explaining her proposed Committee Stage amendments (CSAs) on treason	
022910-023211	Hon James TO Chairman	Explaining the CSAs proposed by Hon Albert HO on treason	
023212-030041	Hon Howard YOUNG Hon CHAN Kam-lam Hon LAU Kong-wah Hon Miriam LAU Hon LAU Ping-cheung Hon WONG Yung-kan Hon Margaret NG Hon James TO Hon Emily LAU	Views on the CSAs proposed by Hon Albert HO, Hon Margaret NG and Hon Audrey EU on treason	

Time marker	Speaker	Subject(s)	Action Required
030042-030710	Admin	Administration's views on the CSAs by Hon Albert HO, Hon Margaret NG and Hon Audrey EU proposed on treason	
030711-031712	Hon Margaret NG Hon James TO	Response to issues raised by members and the Administration	
032713-033414	Hon Albert HO Chairman Hon CHAN Kam-lam Hon James TO Hon Emily LAU Admin	Issues relating to the CSAs proposed by Members on treason	
033415-034328	Hon Margaret NG	Explaining her proposed CSAs on subversion	
034329-034554	Hon Emily LAU	Explaining her proposed CSAs on subversion	
034555-034905	Chairman Hon James TO	Explaining the CSAs proposed by Hon Albert HO on subversion	
034906-034946	Admin Hon Margaret NG	CSAs proposed by Hon Margaret NG and Hon Audrey EU on treason	
034947-035451	Hon CHAN Kam-lam Hon TAM Yiu-chung Hon James TO	Views on the CSAs proposed by Hon Albert HO, Hon Margaret NG, Hon Emily LAU and Hon Audrey EU on treason	
035452-040226	Admin Hon Margaret NG	Administration's views on the CSAs proposed by Hon Albert HO, Hon Margaret NG, Hon Emily LAU and Hon Audrey EU on treason	
040227-041337	Hon Margaret NG Hon James TO	Response to issues raised by members and the Administration	