

立法會
Legislative Council

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(These minutes have been seen by
the Administration)

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

**Minutes of meeting
held on Tuesday, 24 June 2003 at 2:30 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
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon James TO Kun-sun
Hon HUI Cheung-ching, JP
Hon CHAN Kwok-keung
Hon Bernard CHAN, JP
Hon CHAN Kam-lam, JP
Hon SIN Chung-kai
Dr Hon Philip WONG Yu-hong
Hon WONG Yung-kan
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, JP
Hon YEUNG Yiu-chung, BBS
Hon LAU Kong-wah
Hon LAU Wong-fat, GBS, JP
Hon Miriam LAU Kin-yee, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk

Hon SZETO Wah
Hon Timothy FOK Tsun-ting, SBS, JP
Dr Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Abraham SHEK Lai-him, JP
Hon Henry WU King-cheong, BBS, JP
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

**Members
absent** : Hon Eric LI Ka-cheung, JP
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon Andrew WONG Wang-fat, JP
Hon LAU Chin-shek, JP
Hon Andrew CHENG Kar-foo
Hon Michael MAK Kwok-fung
Dr Hon LO Wing-lok

**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

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 provide information on previous cases where companies were struck off the register of companies under Part XIII A of the Companies Ordinance.

3. Referring to the Committee Stage amendments proposed by the Administration, Ms Miriam LAU requested the Administration to consider shortening the time limit for prosecution of the offence of handling seditious publication under new section 9C(2) of the Crimes Ordinance to 18 months.

II. Date of next meeting

4. The Bills Committee agreed that the next meeting to discuss the Bill with the Administration would be held on 26 June 2003 immediately after the Chief Executive's Question and Answer session to be held at 3:00 pm on the same day.

5. The meeting ended at 7:10 pm.

Council Business Division 2
Legislative Council Secretariat
24 July 2003

**Proceedings of the meeting of the Bills Committee on
National Security (Legislative Provisions) Bill
on Tuesday, 24 June 2003 at 2:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000-000047	Chairman	Opening remarks	
000048-000311	Hon Emily LAU	Response to issues raised by members and the Administration at the last meeting on her proposed Committee Stage amendments (CSAs) on subversion	
000312-000559	Hon Margaret NG	Explaining her proposed CSAs on secession	
000600-000641	Hon Emily LAU	Explaining her proposed CSAs on secession	
000642-000721	Hon James TO	Explaining the CSAs proposed by Hon Albert HO on secession	
000722-001815	Hon CHAN Kam-lam Hon James TO Hon Margaret NG Admin Chairman	Views on the CSAs proposed by Members on secession	
001816-002012	Hon Margaret NG Chairman	Explaining her proposed CSAs on the proposed section 2C of the Crimes Ordinance (CO)	
002013-002529	Chairman Hon Margaret NG	Explaining her proposed CSAs on sedition	
002530-003004	Hon James TO	Explaining the CSAs proposed by Hon Albert HO and Hon Cyd HO on sedition	
003005-003127	Hon Emily LAU	Explaining her proposed CSAs on sedition	
003128-003411	Admin	Administration's views on the CSAs proposed by Members on sedition	
003412-003452	Hon James TO	Explaining the CSAs proposed by Hon Frederick FUNG on sedition	

Time marker	Speaker	Subject(s)	Action Required
003453-004303	Hon Margaret NG Hon James TO	Response to issues raised by the Administration on the CSAs proposed by Members on sedition	
004304-005909	Hon Miriam LAU Hon Margaret NG Hon James TO Hon Martin LEE Chairman Admin	Proposed level of sentence for sedition	
005910-010257	Chairman Hon Margaret NG	Explaining her proposed CSAs on handling seditious publications	
010258-011933	Hon Emily LAU Hon Miriam LAU Hon James TO Hon Margaret NG Admin	Views on the CSAs proposed by Members on handling seditious publications; proposed time limit for prosecution in the proposed new section 9C(3) of CO	Admin to consider shortening the proposed time limit for prosecution in the proposed new section 9C(3) of CO to 18 months
011934-012239	Hon Margaret NG	Explaining her proposed CSAs on the proposed section 9D of CO	
012240-013019	Hon James TO	Explaining the respective CSAs proposed by him and Hon SIN Chung-kai on the proposed section 9D of CO	
013020-013138	Admin	Administration's view regarding the CSAs proposed by Members on the proposed section 9D of CO	
013139-013218	Chairman Hon James TO	Explaining the CSAs proposed by Hon Albert HO in the proposed section 18A of CO requiring enforcement to be consistent with Chapter III of the Basic Law	
013219-013359	Hon Margaret NG	Explaining her proposed CSAs on investigation power	
013400-013415	Chairman Hon James TO	CSAs proposed by Hon Frederick FUNG on investigation power	
013416-022309	Hon Martin LEE Hon Margaret NG Hon Emily LAU	Whether there was a need for the investigation power proposed in the new section 18B of CO; whether a direction under	

Time marker	Speaker	Subject(s)	Action Required
	Hon James TO Hon Audrey EU Hon CHAN Kam-lam Hon LEUNG Fu-wah Hon LEE Cheuk-yan Hon NG Leung-sing Chairman Admin	the proposed section 18B of CO should be given in writing	
[Break]			
023410-024334	Chairman Hon Margaret NG	Explaining her proposed CSAs to provisions relating to the Official Secrets Ordinance (OSO)	
024335-025627	Hon James TO	Explaining his proposed CSAs to provisions relating to OSO	
025628-025730	Hon Martin LEE	Explaining his proposed CSAs to provisions relating to OSO	
025731-025905	Hon James TO	Explaining his proposed CSAs to provisions relating to OSO	
025906-030148	Hon Emily LAU	Explaining her proposed CSAs to provisions relating to OSO	
030149-030814	Hon Cyd HO	Explaining her proposed CSAs to provisions relating to OSO	
030815-031011	Hon Margaret NG	Views of the Article 23 Concern Group on the CSAs proposed by the Democratic Party relating to OSO	
031012-031237	Hon James TO	Further explaining his proposed CSAs to provisions relating to OSO	
031238-031341	Hon Cyd HO	Explaining her proposed CSAs relating to time limit for prosecution under sections 13 to 20 of OSO	
031342-033629	Hon Audrey EU	Explaining her proposed CSAs on proscription	
033630-034625	Hon Martin LEE	Explaining his proposed CSAs on proscription	

Time marker	Speaker	Subject(s)	Action Required
034626-034730	Hon Emily LAU	Explaining her proposed CSAs on commencement of the enacted Ordinance	
034731-035851	Hon Margaret NG Hon James TO	Proposed consequential amendments to the relevant Ordinances	
035852-040510	Admin Hon Miriam LAU Hon James TO Hon Margaret NG Hon Martin LEE Chairman LA	Administration's views on the CSAs proposed by Members on proscription, commencement of the enacted Ordinance and consequential amendments	
040511-040812	Chairman Admin	Administration's response to issues raised at the meetings on 21 June 2003	
040813-040510	Hon Miriam LAU Admin	Whether there was a need to prohibit the operation of an organization after it was proscribed and provide that dissolution of the organization and winding up not to take place until an appeal against the proscription had been concluded or after the 30-day period referred to in the proposed new section 8D(1) of SO expired	
040511-043601	Hon Martin LEE Hon Audrey EU Hon James TO Hon Emily LAU Hon Margaret NG Hon LAU Kong-wah Chairman Clerk	Whether the Secretary for Security should be empowered to make regulations under the proposed new section 8D of SO; previous cases where companies were struck off the register of companies under Part XIII A of the Companies Ordinance; provision of further CSAs to be proposed by the Administration; whether a further meeting should be held to discuss the CSAs to be proposed by the Administration	Admin to provide information on previous cases where companies were struck off the register of companies under Part XIII A of the Companies Ordinance