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Secretary for Security
Security Bureau
(Attn: Mr Timothy Tong)
Permanent Secretary for Security (Atg)
6/F, Main Wing
Central Government Offices
Hong Kong

7 February 2003

BY FAX
Fax No. : 2523 1685

Dear Mr Tong,

Proposals to implement Article 23 of the Basic Law

Following the joint meeting of the Panel on Security and Panel on Administration of Justice and Legal Services yesterday, a member wishes to know the meaning and mechanism of "open decree" and "明令取締" (as they respectively appear in the leaflet on the way forward) by which a Mainland organisation is proscribed by the Central Authorities on grounds of national security.

Yours sincerely,

(Bernice Wong)
Assistant Legal Adviser

c.c. CAS(2)1
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Secretary for Security
Security Bureau
(Attn: Mr Johann Wong
Principal Assistant Secretary)
6/F, Main Wing
Central Government Offices
Hong Kong

28 February 2003

BY FAX

Fax No. : 2523 1685

Dear Mr Wong,

Proposals to implement Article 23 of the Basic Law

I refer to your letter dated 22 February 2003 quoting the new section 8A(2) of the Societies Ordinance proposed in the National Security (Legislative Provisions) Bill in response to an enquiry made by a member of the Joint Panels.

I shall be grateful if you could explain in more detail :

- (a) under which laws of the People's Republic of China can the Central Authorities officially proclaim by means of an open decree that the operation of a mainland organization is prohibited on the ground of protecting the security of the PRC;
- (b) what are the procedures to be taken to proclaim by means of an open decree officially;
- (c) what is the difference between the term "明令取締" (referred to in the leaflet on the way forward) "明文禁令" (used in the Bill)?

Yours sincerely,

(Bernice Wong)
Assistant Legal Adviser

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