

立法會
Legislative Council

LC Paper No. CB(2)3050/03-04

(These minutes have been
seen by the Administration)

Ref : CB2/BC/11/02

**Bills Committee on United Nations
(Anti-Terrorism Measures) (Amendment) Bill 2003**

**Minutes of the 16th meeting
held on Friday, 18 June 2004 at 1:00 pm
in Conference Room B of the Legislative Council Building**

Members present : Hon James TO Kun-sun (Chairman)
Hon Margaret NG
Hon Miriam LAU Kin-yee, JP

Members absent : Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Albert HO Chun-yan
Hon LAU Kong-wah, JP
Hon Audrey EU Yuet-mee, SC, JP

Public Officers attending : Mrs Margaret CHAN
Principal Assistant Secretary for Security

Ms Nilmini Dissanayake
Senior Assistant Law Draftsman

Miss Selina LAU
Government Counsel

Mr L W TING
Assistant Secretary for Security (Narcotics)

Ms Manda CHAN
Assistant Secretary for Security

Clerk in attendance : Miss Mary SO
Chief Council Secretary (2) 4

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

I. Meeting with the Administration
(LC Paper No. CB(2)2851/03-04(01))

The Bills Committee deliberated (Index of proceedings at **Annex**).

2. The Chairman said that the reason for convening this meeting was to allow the Administration to respond to Miss Margaret NG's proposed Committee Stage amendment (CSA) to existing section 12(1) of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) to the effect that the obligation to report terrorist property would only cover information or other matters which came to a person arising from his work.

3. Miss Margaret NG said that the reason why she decided not to wait until the Administration had completed its review of the present reporting requirements under Cap. 575, the Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405) and the Organized and Serious Crimes Ordinance (Cap. 455) in the context of the exercise to implement the Forty Recommendations of the Financial Action Task Force on Money Laundering, which was scheduled to start in 2004-05, was because her CSA would not only lift the obligation off every ordinary citizen for reporting any property suspected to be terrorist property, it would also not affect the trades concerned given that the men reas remained unchanged.

4. The Administration responded that its views had been clearly set out in the papers (referenced CB(2)2386/03-04(01) and CB(2)2557/03-04(01)) previously submitted to the Bills Committee, and it had no further comments to make on Miss NG's proposed amendment to section 12(1).

5. There being no other business, the meeting ended at 1:53 pm.

**Proceedings of the 16th meeting of the
Bills Committee on United Nations
(Anti-Terrorism Measures) (Amendment) Bill 2003
on Friday, 18 June 2004 at 1:00 pm
in Conference Room B of the Legislative Council Building**

| <i>Time Marker</i> | Speaker | Subject(s) | Action Required |
|--------------------|--|--|------------------------|
| 000000 - 001033 | Chairman and Miss Margaret NG | <p><u>Discussion on the draft Committee Stage amendment to existing section 12(1) of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) (the Ordinance) proposed by Miss Margaret NG</u> (LC Paper No. CB(2)2851/03-04(01))</p> <p>Miss Margaret NG explained why she decided to move the proposed amendment without waiting until the Administration had completed its review of the reporting requirements under the Ordinance, the Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405) and the Organized and Serious Crimes Ordinance (Cap. 455) in the context of the exercise to implement the Forty Recommendations of the Financial Action Task Force on Money Laundering (FATF), which was scheduled to start in 2004-05.</p> | |
| 001034 - 005023 | Administration, Chairman, Miss Margaret NG and Ms Miriam LAU | <p>The Administration agreed to consider the possibility of introducing a two-tier reporting system provided for under sections 19 and 21A of the United Kingdom Terrorism Act 2000 in Hong Kong. In view of the possible implications that such a reporting system would have on the sectors concerned, as well as the need to ensure consistency between the reporting requirements under section 25A of the Cap. 405 and Cap. 455 and under section 12 of the Ordinance, the Administration undertook to conduct a review of the present reporting requirements under the three Ordinances in the context of the exercise to give effect to the FATF Recommendations in 2004-05.</p> <p>The Administration responded that its views had been clearly set out in the papers (referenced CB(2)2386/03-04(01) and CB(2)2557/03-04(01)) previously submitted to the Bills Committee, and it had no further comments to make on Miss NG's proposed amendment to section 12(1).</p> | |
| 005024 - 005150 | Chairman | Legislative timetable | |