

立法會
Legislative Council

LC Paper No. CB(2)416/03-04

(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 3rd meeting
held on Wednesday, 12 November 2003 at 10:45 am
in Conference Room B of the Legislative Council Building**

Members present : Hon James TO Kun-sun (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Margaret NG
Hon Miriam LAU Kin-yee, JP
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Hon Albert HO Chun-yan
Hon LAU Kong-wah, JP

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

Mr John Hunter
Deputy Principal Government Counsel

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 Assistant Secretary (2) 4

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Ms Joanne MAK
Senior Assistant Secretary (2) 2

I. Meeting with the Administration
(LC Paper Nos. CB(2)294/03-04(01) and (02))

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

2. The Administration was requested to provide a written response to the following questions raised by members -

- (a) Whether section 11(2) of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) ("the Ordinance") could be covered by the general law; if so, what was the general law and whether section 11(2) should be repealed. If existing legislation could only cover part of section 11(2), whether amendments to section 11(2) or to the general law should be made to cover what was necessary;
- (b) Whether the definition of "terrorist act" also covered false threat of terrorist act;
- (c) In relation to the recent court case convicting a man under section 11(2) of the Ordinance, when did the information that the offender had previous records of psychiatric treatment come to light, and who first got hold of such information; and
- (d) Whether there were any internal guidelines for enforcing the Ordinance; if so; what were they.

3. The Administration was also requested to provide a written response to the following issues raised by members -

- (a) To examine how to protect the interests of "innocent parties" who had unknowingly provided/invested funds/other property to/in terrorists/terrorist organisations; and
- (b) To review definitions in section 2 of the Ordinance vis-à-vis offence sections of the Ordinance to ensure that the net was not cast unduly wide.

II. Date of next meeting

4. Members agreed to hold the next meeting on 26 November 2003 at 8:30 am to continue discussion on the Bill.

5. There being no other business, the meeting ended at 12:35 pm.

Council Business Division 2
Legislative Council Secretariat
21 November 2003

**Proceedings of the 3rd meeting of the
Bills Committee on United Nations
(Anti-Terrorism Measures) (Amendment) Bill 2003
on Wednesday, 12 November 2003 at 10:45 am
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000900	Chairman, Administration and Miss Margaret NG	<p>Paragraphs 2 to 4 of LC Paper No. CB(2)294/03-04(01)) on the definition of "terrorist act"</p> <p>The Administration was requested to provide a written response on the following issues raised by members -</p> <p>(a) Whether section 11(2) of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) ("the Ordinance") could be covered by the general law; if so, what was the general law and whether section 11(2) should be repealed. If existing legislation could only cover part of section 11(2), whether amendments to section 11(2) or to the general law should be made to cover what was necessary;</p> <p>(b) Whether the definition of "terrorist act" also covered false threat of terrorist act; and</p> <p>(c) To review definitions in section 2 of the Ordinance vis-à-vis offence sections of the Ordinance to ensure that the net was not cast unduly wide.</p>	<p>✓ (Admin to provide a written response)</p>
000901 - 010637	Miss Margaret NG, Administration, ALA1, Chairman and Ms Cyd HO	<p>In relation to the recent court case convicting a man under section 11(2) of the Ordinance, the Administration was requested to provide a written response on -</p> <p>(a) When did the information that the offender had previous records of psychiatric treatment come to light, and who first got hold of such information; and</p> <p>(b) Whether there were any internal guidelines for enforcing the Ordinance; if so; what were they.</p>	<p>✓ (Admin to provide a written response)</p>
010638 - 014205	Miss Margaret NG, Chairman, Administration, Ms Miriam LAU and Ms Cyd HO	<p>Paragraphs 5 to 6 of LC Paper No. CB(2)294/03-04(01)) on the definition of "terrorist property"</p> <p>The Administration was requested to provide a written response on how to protect the interests of "innocent parties" who had unknowingly provided/invested funds/other property to/in terrorists/terrorist organisations.</p>	<p>✓ (Admin to provide a written response)</p>
014206 - 014650	Chairman, Ms Cyd HO and Miss Margaret NG	Date of next meeting	