

**立法會**  
**Legislative Council**

LC Paper No. CB(1) 1185/02-03  
(These minutes have been seen  
by the Administration)

Ref: CB1/SS/4/02/1

**Subcommittee on Import and Export (General)(Amendment) Regulation 2003,  
Import and Export (Registration)(Amendment) Regulation 2003,  
Import and Export (Removal of Articles)(Amendment) Regulation 2003,  
Reserved Commodities  
(Control of Imports, Exports and Reserve Stocks)(Amendment) Regulation 2003,  
Import and Export (Electronic Transactions) Ordinance 2002  
(24 of 2002)(Commencement) Notice 2003 and  
Dutiable Commodities (Amendment) Ordinance 2001  
(19 of 2001)(Commencement) Notice 2003**

**Minutes of the first meeting  
held on Wednesday, 5 March 2003, at 8:30 am  
in Conference Room B of the Legislative Council Building**

**Members present** : Hon Kenneth TING Woo-shou, JP (Chairman)  
Hon HUI Cheung-ching, JP  
Hon SIN Chung-kai  
Hon Miriam LAU Kin-yee, JP

**Member absent** : Hon CHAN Kam-lam, JP

**Public officers attending** : Commerce, Industry and Technology Bureau  
  
Mr Gordon LEUNG  
Principal Assistant Secretary for Commerce, Industry  
and Technology (Commerce and Industry)<sup>7</sup>  
  
Department of Justice  
  
Ms Frances HUI  
Senior Government Counsel

Customs and Excise Department

Mr Ben L C LEUNG  
Senior Staff Officer (Information Technology)

**Clerk in attendance** : Miss Becky YU  
Chief Assistant Secretary (1)1

**Staff in attendance** : Miss Connie FUNG  
Assistant Legal Adviser 3

Mrs Mary TANG  
Senior Assistant Secretary (1)2

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**I Election of Chairman**

Nominated by Ms Miriam LAU and seconded by Mr HUI Cheung-ching, Mr Kenneth TING was elected Chairman of the Subcommittee.

**II Meeting with the Administration**

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|-----------------------------------|----|---|
| (Ref: CIB 89/18/1                 | -- | The Legislative Council Brief   |
| LC Paper No. LS 62/02-03          | -- | Legal Service Division Report   |
| LC Paper No. CB(1) 2134/01-02     | -- | Report of the Bills Committee on Import and Export (Electronic Transactions) Bill 2001  |
| LC Paper No. CB(1) 1034/02-03(01) | -- | Marked-up copy of Legal Notice Nos. 32 to 35  |
| LC Paper No. CB(1) 1034/02-03(02) | -- | Import and Export (Electronic Transactions) Ordinance 2002 and Section 9 of the Dutiable Commodities (Amendment) Ordinance 2001 |
| LC Paper No. CB(1) 1034/02-03(03) | -- | Administration's reply to concerns raised by the Legal Service Division dated 20 February 2003)                                 |

2. The Committee deliberated (Index of proceedings attached at **Annex A**).

3. The Administration was requested to -
  - (a) advise the share (in term of volume) of manifests submitted by the some 80 major ocean carriers which had agreed to adopt the electronic services provided by Tradelink Electronic Commerce Limited (Tradelink) for processing cargo manifests; and
  - (b) consider the implications of removing the requirement for signature in Schedules 1 and 2 to the Import and Export (Removal of Articles) (Amendment) Regulation 2003, and also advise how the Administration could ensure that Tradelink would abide by its contractual obligation in the implementation instructions to adhere to the use of digital signature.
4. Members agreed to extend the scrutiny period of the four proposed Regulations and the two Commencement Notices to 9 April 2003 by resolution.
5. There being no other business, the meeting ended at 9:20 am.

Council Business Division 1  
Legislative Council Secretariat  
21 March 2003

**Proceedings of the meeting of the  
Subcommittee on Import and Export (General)(Amendment) Regulation 2003,  
Import and Export (Registration)(Amendment) Regulation 2003,  
Import and Export (Removal of Articles)(Amendment) Regulation 2003,  
Reserved Commodities  
(Control of Imports, Exports and Reserve Stocks)(Amendment) Regulation 2003,  
Import and Export (Electronic Transactions) Ordinance 2002  
(24 of 2002)(Commencement) Notice 2003 and  
Dutiable Commodities (Amendment) Ordinance 2001  
(19 of 2001)(Commencement) Notice 2003  
Meeting on Wednesday, 5 March 2003, at 8:30 am  
in Conference Room B of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000001 - 000107	Mr Kenneth TING Mr HUI Cheung-ching Ms Miriam LAU	Election of Chairman	
000108 - 000223	Administration	Explanation on the four proposed Regulations and the two Commencement Notices	
000224 - 000910	Mr HUI Cheung-ching Administration Chairman	Progress of implementation of electronic data interchange service for cargo manifest (EMAN) by air freight, river vessels, sea transport and railway trades	
000911 - 000943	Chairman Administration	Take-up rate of EMAN for ocean carriers	The Administration to advise the share (in term of volume) of manifests submitted by the some 80 major ocean carriers which had agreed to adopt the electronic services provided by Tradelink for processing cargo manifests
000944 - 001013	Mr HUI Cheung-ching Administration Chairman	Whether there was any target take-up rate in determining the end-date of transitional period	

Time marker	Speaker	Subject(s)	Action required
001014 - 001409	Ms Miriam LAU Administration	The need for Tradelink to work out charging arrangement with the Mainland service provider; the request from the river carriers that the transitional period for EMAN should not expire until end 2003; and the compatibility of other ports in the Mainland in the use of electronic submission of cargo manifests	
001410 - 002239	Ms Miriam LAU Administration Chairman Mr SIN Chung-kai	Mainland service providers	
002240 - 002256	Chairman Mr SIN Chung-kai Ms Miriam LAU Administration	Need to ensure that the systems adopted by the new specified service providers would be compatible with each other	
002257 - 002620	Chairman Ms Miriam LAU Mr SIN Chung-kai Administration	Clause-by-clause examination of regulations	
002621 - 002723	ALA3 Ms Miriam LAU Chairman	Technical amendments to item 7 of the new schedule 2 to the Import and Export (Removal of Articles) (Amendment) Regulation 2003	
002724 - 002818	Mr SIN Chung-kai Administration	Digital signatures for manifests submitted	
002819 - 002900	ALA3	References to regulations 11(2)(b) and 12(2)(b) of the Import and Export (Registration) Regulations in the proposed regulations 5(3), 6(2A) and 8(3) of the Reserved Commodities (Control of	

Time marker	Speaker	Subject(s)	Action required
		Imports, Exports and Reserve Stocks) (Amendment) Regulation 2003 should be replaced by regulations 11(1)(d) and 12(1)(d) respectively	
002901 - 004432	Mr SIN Chung-kai Administration Ms Miriam LAU Chairman	Implications of removing the requirement for signatures in Schedules 1 and 2 of the Import and Export (Removal of Articles) (Amendment) Regulation 2003 and measures to ensure that Tradelink would abide by its contractual obligation in the implementation instructions to adhere to the use of digital signature	The Administration to consider the implications of removing the requirement for signature in Schedules 1 and 2 of the Import and Export (Removal of Articles) (Amendment) Regulation 2003. To also advise how the Administration could ensure that Tradelink would abide by its contractual obligation in the implementation instructions to adhere to the use of digital signature
004433 - 004624	Chairman ALA3 Ms Miriam LAU	Continuation of clause-by clause examination	
004625 - 004712	Chairman	Extension of scrutiny period from 19 March to 9 April 2003	