

立法會

Legislative Council

LC Paper No. CB(2)621/03-04
(These minutes have been seen
by the Administration)

Ref : CB2/SS/17/02

**Subcommittee on
subsidiary legislation relating to consular matters**

**Minutes of second meeting
held on Monday, 20 October 2003 at 4:30 pm
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Margaret NG (Chairman)
Hon Cyd HO Sau-lan
Hon James TO Kun-sun
Hon Audrey EU Yuet-mee, SC , JP
- Member absent** : Hon Jasper TSANG Yok-sing, GBS, JP
- Public Officers attending** : Miss Eliza LEE
Deputy Director of Administration
- Mr David LEUNG
Assistant Director of Administration
- Miss S K LEE
Senior Government Counsel
International Law Division
- Mr Davis HUI
Deputy Director of Protocol
- Ms Francoise LAM
Senior Government Counsel
Law Drafting Division
- Ms Betty CHEUNG
Senior Government Counsel
Law Drafting Division

Clerk in attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in attendance : Mr KAU Kin-wah
Assistant Legal Adviser 6

Mr Paul WOO
Senior Assistant Secretary (2)3

Action

I. Meeting with the Administration

(Legislative Council Brief issued by the Administration Wing of the Chief Secretary for Administration's Office in June 2003 (Ref : CSO/ADM CR/3/2071/97(02); LC Paper Nos. CB(2)50/03-04(01) to (03) and 105/03-04(01) to (03))

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Article 9 of the Consular Agreement Between the Government of the People's Republic of China And the Government of Canada (the PRC/Canada Agreement)

2. At the request of Mr James TO, the Administration agreed to explain in writing the practical arrangements between Hong Kong and Canada to implement Article 9 of the PRC/Canada Agreement, i.e. in relation to notification of death of a national of the sending State in the receiving State by competent authorities in the receiving State.

3. Deputy Director of Administration undertook to follow up with the Administration on the need to strengthen internal communication to ensure that the existing mechanism for informing the consular post of the death of their nationals in Hong Kong would work effectively.

(Post-meeting note : The Administration's written response was issued to the Subcommittee vide LC Paper No. CB(2)619/03-04 on 10 December 2003.)

Clause by clause examination of the subsidiary legislation

4. The Subcommittee completed clause by clause examination of Registration of Persons (Amendment) Regulation 2003 (L.N. 165 of 2003) and International Organizations (Privileges and Immunities) (Office of the Commission of the European Communities) Order (L.N. 166 of 2003).

Action

Report of the Subcommittee

5. The Clerk advised members that the scrutiny period of the four items of subsidiary legislation had been extended from 15 October 2003 to 5 November 2003. Members agreed that the Subcommittee should make a report on its deliberations to the House Committee on 24 October 2003.

Cancellation of meeting

6. As the Subcommittee had completed scrutiny of the subsidiary legislation, members agreed that the meeting scheduled for 27 October 2003 at 10:45 am should be cancelled.

7. The meeting ended at 5:10 pm.

Council Business Division 2
Legislative Council Secretariat
10 December 2003

**Proceedings of the second meeting of the Subcommittee on
subsidiary legislation relating to consular matters
on Monday, 20 October 2003 at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000001-000620	Chairman	Introduction on the paper prepared by the Admin responding to the issues raised at the meeting on 13 October 2003 (LC Paper No. CB(2)105/03-04(01)).	
000621-001645	Mr James TO Chairman Admin	Practical arrangements between Hong Kong and Canada to implement Article 9 of the Consular Agreement Between the Government of the People's Republic of China and the Government of Canada.	Admin to explain the arrangements in writing.
001646-001810	Chairman Admin	Clause by clause examination of Registration of Persons (Amendment) Regulation 2003 (L.N. 165 of 2003). Clause 1 of L.N. 165 of 2003. (Marked-up copy of L.N. 165 of 2003 (LC Paper No. CB(2)50/03-04(03))	
001811-002207	Chairman Admin Ms Cyd HO	Clause 2 of L.N. 165 of 2003.	
002208-002329	Chairman Admin	Clause 3 of L.N. 165 of 2003.	
002330-002710	Chairman Admin ALA6	Clauses 4 to 6 of L.N. 165 of 2003. Chinese and English text for "the Head and members of the EC Office".	
002711-003404	Chairman Admin ALA6	Clause by clause examination of International Organizations (Privileges and Immunities) (Office of the Commission of the European Communities) Order (L.N. 166 of 2003).	
003405-003438	Admin	Programme of enactment of subsidiary legislation to underpin bilateral agreements between the People's Republic of China and consular posts/international organizations applicable to Hong Kong.	

Time marker	Speaker	Subject(s)	Action required
003439-003603	Chairman Clerk	Report of the Subcommittee to the House Committee. Cancellation of meeting previously scheduled for 27 October 2003 at 10:45 am.	