

**Subcommittee to Examine
the Implementation in Hong Kong of Resolutions of
the United Nations Security Council in relation to Sanctions**

**Issues and questions raised by members
at the closed meeting held on 3 April 2008**

In the course of scrutiny, members have noted that under Article 18 of the Basic Law, certain national laws (as listed in Annex III of the Basic Law) relating to defence and foreign affairs may be applied in Hong Kong by way of promulgation or legislation by the Hong Kong Special Administrative Region (HKSAR). However, there is no provision in the Basic Law which provides that laws to be enacted by the HKSAR legislature has to be approved by the CPG, nor is there any provision in the Basic Law which empowers the CPG to do so. Nevertheless, in the speech of the Secretary for Trade and Industry during the resumption of Second Reading debate on the United Nations Sanctions Bill at the Provisional Legislative Council meeting on 16 July 1997, it was stated, inter alia, that "*the Central People's Government has indicated its approval to the Bill*".

2. In this connection, the Subcommittee would like to seek the Administration's further clarifications and comments on the background leading to the enactment of the United Nations Sanctions Ordinance (Cap. 537) (UNSO) as follows:

- (a) the basis or reasons for seeking the Central People's Government (CPG)'s approval or for CPG's giving approval to the enactment of the United Nations Sanctions Bill; and
- (b) whether effective authorization has been given for the Provisional Legislative Council to pass the UNSO as the vehicle for fulfilling CPG's international obligations to UN.