

立法會
Legislative Council

LC Paper No. CB(1)1621/04-05

Ref. : CB1/SS/07/04

**Subcommittee on
International Organizations (Privileges and Immunities)
(World Trade Organization) Order**

Background brief

Purpose

This paper summarizes the major views and concerns expressed by members of the Panel on Commerce and Industry (CI Panel) when being consulted on the Administration's proposal to introduce the necessary subsidiary legislation relating to privileges and immunities (P&Is) for the World Trade Organization (WTO).

Background

2. Hong Kong is a founding member of the World Trade Organization (WTO) which was established on 1 January 1995 and has been a staunch supporter of the multilateral trading system. Part of the obligations of being a WTO member is to accord privileges and immunities (P&Is) to WTO, its officials and representatives of WTO members in accordance with the Marrakesh Agreement Establishing the WTO (the Marrakesh Agreement). As stipulated in the relevant article of the Marrakesh Agreement, the P&Is for the WTO shall be similar to those stipulated in the 1947 United Nations Convention on the Privileges and Immunities of the Specialized Agencies (the 1947 Convention).

3. Having regard to Hong Kong's common law tradition, provisions of an international agreement applicable to Hong Kong affecting private rights and obligations or requiring exceptions to be made to the existing laws of Hong Kong must be transformed from the international legal plane to the domestic legal plane by legislation. Therefore, the Administration has found it necessary to enact local legislation relating to the P&Is for WTO to fulfil Hong Kong's obligation as a WTO member.

4. In October 2004, the WTO General Council decided that the sixth Ministerial Conference (MC6) should be held in Hong Kong from 13 to 18 December 2005. It is

therefore important that the necessary legislation is enacted before MC6 to ensure that the WTO, its officials and the representatives of WTO members can enjoy the relevant P&Is when they exercise their functions in Hong Kong for the purposes of participating in MC6. To this end, an Order has been made under section 3 of the International Organizations (Privileges and Immunities) Ordinance (Cap. 558) and gazetted on 6 May 2005. The Order is subject to negative vetting by the Legislative Council (LegCo).

Consultation with Panel

5. The Panel on Commerce and Industry (CI Panel) was briefed on the Administration's proposal to enact subsidiary legislation to accord P&Is to the WTO, its officials and representatives of WTO members at its meetings on 15 February and 15 March 2005. The relevant extract of minutes of the meetings are at **Appendix I and II**.

6. The Marrakesh Agreement and the 1947 Convention have been issued to the Panel. The Panel noted that in accordance with the requirement of the Marrakesh Agreement and having regard to the common law tradition, the Administration would incorporate, with a few exceptions, the P&Is listed in the 1947 Convention, into the Order. In principle, members agreed with the need and urgency of the legislative exercise in the light of the forthcoming MC6. However, they had exchanged views with the Administration on the following concerns.

Scope of P&Is

7. As the WTO did not have the status of a sovereign state, concern was raised as to whether the P&Is proposed to be granted were more favourable than the extra-territorial rights enjoyed by foreign consular or diplomatic representatives in Hong Kong. The Administration's advice was that the status of the Director-General of WTO was equivalent to that of a diplomat of a sovereign state and he was therefore entitled to the P&Is, exemptions and facilities enjoyed by diplomatic envoys in accordance with section 21 of the 1947 Convention. For other WTO officials and representatives of WTO members, they would only be accorded such P&Is as were necessary for their exercise of functions in connection with WTO.

8. As to whether the scope of the P&Is was too excessive, in particular with regard to exemption from criminal liability, some members considered that certain acts which attracted criminal sanction, such as speeding or reckless driving, should not be immune from legal action. The Administration's advice was that pursuant to section 22 of the 1947 Convention, the P&Is were not granted for personal benefit and WTO had the right and duty to waive such immunity when deemed necessary. It also considered it unlikely that certain criminal acts, which were in no way necessary for the exercise of WTO-related functions, could enjoy immunity from legal action.

9. On whether all the relevant provisions in the 1947 Convention should be included in the Order, the Administration advised that the P&Is to be provided would be consistent but not wider in scope than the relevant requirements in the Marrakesh Agreement and the 1947 Convention. Nevertheless, those provisions that could be accorded through administrative measures or existing local legislation would not be included.

Granting and invoking P&Is

10. On some members' concern about disputes, if any, over the P&Is and the possibility of any abuse, the Administration highlighted that P&Is would be extended to WTO officials and representatives of its members to enable to perform their proper functions. They were not a blanket authority for not complying with the laws of the jurisdiction granting such P&Is. Members noted that according to a study carried out by the Department of Justice, there had not been any precedent international court case involving a trade-related international organization in dispute with the host government concerning its P&Is, nor had there been any such case dealt with by the International Court of Justice.

Overseas practice

11. With regard to members' enquiry about how past MC hosts had accorded P&Is to WTO, the Administration pointed out due to the difference in legal systems, a direct comparison might not be possible. Nevertheless, members noted that Singapore and the United States had followed closely the 1947 Convention.

12. Regarding the arrangements in the Mainland, the Administration advised that following the Mainland's accession to the WTO, the relevant provisions of the 1947 Convention, including those relating to P&Is in respect of the WTO, would have taken effect directly within the Mainland.

Supplementary information provided by the Administration

13. The Administration has not provided for the Panel's sight the draft text of the Order as requested by some members. However, it has provided a supplementary explanatory paper which sets out, inter alia, the articles/sections of the 1947 Convention that would be included in the Order. The paper (LC Paper No. CB(1)1069/04-05(03)) was considered by the CI Panel at the meeting held on 15 March 2005 and can be browsed at the following link : <http://www.legco.gov.hk/yr04-05/english/panels/ci/papers/ci0315cb1-1069-3e.pdf>.

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Legislative Council

LC Paper No. CB(1)1071/04-05

(These minutes have been seen
by the Administration)

Ref: CB1/PL/CI/1

Panel on Commerce and Industry

Minutes of meeting

**held on Tuesday, 15 February 2005, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP (Chairman)
Hon WONG Ting-kwong, BBS (Deputy Chairman)
Hon CHAN Kam-lam, JP
Hon SIN Chung-kai, JP
Hon Vincent FANG Kang, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Ronny TONG Ka-wah, SC

Members attending : Hon CHAN Yuen-han, JP
Hon WONG Kwok-hing, MH

Members absent : Dr Hon LUI Ming-wah, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHIM Pui-chung

Public officers attending : Agenda Item IV

Mr Philip YUNG
Deputy Secretary for Commerce, Industry and
Technology (Commerce and Industry) 1

Mr Clement LEUNG
Deputy Director-General of Trade and Industry

Miss Elley MAO, JP
Principal Economist
Financial Secretary's Office

Mr K K CHAN
Principal Trade Officer
Commerce, Industry and Technology Bureau

Agenda Item V

Miss Mary CHOW
Deputy Secretary for Commerce, Industry and
Technology (Commerce and Industry) 2

Ms Priscilla TO
Principal Assistant Secretary for Commerce, Industry
and Technology (Commerce and Industry)

Mr Stephen SELBY, JP
Director of Intellectual Property

Mr Frederick WONG
Senior Solicitor (Copyright)
Intellectual Property Department

Mr Y K TAM
Senior Superintendent
Intellectual Property Investigation Bureau
Customs and Excise Department

Agenda Item VI

Mr Philip YUNG
Deputy Secretary for Commerce, Industry &
Technology (Commerce and Industry) 1

Ms Janet WONG
Head, MC6 Co-ordination Office
Trade and Industry Department

Mr Bill SUEN
Commandant (Police Tactical Unit)
Hong Kong Police Force

Mr Frank POON
Deputy Principal Government Counsel (Treaties and Law) 2
Treaties and Law Unit
International Law Division
Department of Justice

Clerk in attendance : Miss Polly YEUNG
Chief Council Secretary (1)3

Staff in attendance : Miss Anita HO
Assistant Legal Adviser 2

Ms Debbie YAU
Senior Council Secretary (1)1

Ms Sharon CHAN
Legislative Assistant (1)6

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VI Hosting of the Sixth Ministerial Conference of the World Trade Organization

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(b) Proposed Subsidiary legislation relating to privileges and immunities for the World Trade Organization

LC Paper No. CB(1)861/04-05(08) -- Information paper provided by the Administration

49. At the invitation of the Chairman, DSCIT(CI)1 briefed members on the proposed subsidiary legislation relating to the privileges and immunities (P&Is) for WTO under the International Organizations (Privileges and Immunities) Ordinance (IO(P&Is)O) (Cap 558). The subsidiary legislation would be named International Organizations (Privileges and Immunities) (World Trade Organization) Order (the WTO Order). He advised that part of the obligations of being a WTO member was to accord P&Is to WTO, its officials and representatives of its members in accordance with the Marrakesh Agreement Establishing the WTO (Marrakesh Agreement). As stipulated in Article VIII.4 of the Marrakesh Agreement, the P&Is of the WTO should be similar to those stipulated in the 1947 United Nations Convention on the P&Is for the Specialized

Agencies (1947 Convention). DSCIT(CI)1 highlighted the need for the new legislation to be enacted before MC6 to ensure that officials and representatives of WTO members could enjoy the relevant P&Is when they exercised their functions in Hong Kong during their preparation for and participation in the MC6. Members noted that the Administration planned to introduce the WTO Order into the Council for negative vetting shortly, so that the legislative process could be completed within the 2004-05 legislative session.

Proposed scope of P&Is

50. Mr Ronny TONG pointed out that as WTO did not have the status of a sovereign state, it should not be entitled to the P&Is applicable to a sovereign state. He then referred to paragraph 3 (a) to (g) of the Administration's paper (CB(1)861/04-05(08)) and said that he did not have strong views against the proposed P&Is except those listed in paragraph 3(e) and (g). Mr TONG was gravely concerned whether the P&Is under paragraph 3(e) and (g) would include immunity from criminal liability. If this was the case, he considered that the scope of the P&Is might be too excessive vis-à-vis the extra-territorial rights enjoyed by foreign consular or diplomatic representatives in Hong Kong. He understood that although generally speaking, a diplomatic representative who had committed an offence might be immune from prosecution in the country where he was posted, he might need to face proceedings instituted against him in his home country.

51. The Deputy Principal Government Counsel (Treaties & Law) 2 (DPGC(T&L)2) advised that in accordance with relevant international requirements, the P&Is contemplated under paragraph 3(e) and (g) of the Administration's paper covered both civil and criminal liabilities. He further confirmed that while WTO did not have the status of a sovereign state, the status of the Director-General of WTO was equivalent to that of a diplomat of a sovereign state and the Director-General should therefore be accorded P&Is, exemptions and facilities enjoyed by diplomatic envoys. For WTO officials below the rank of Director-General and representatives of WTO members, they would only be accorded such P&Is as were necessary for their exercise of functions in connection with the WTO.

52. Mr Ronny TONG observed that under Article VIII.2 and 3 of the Marrakesh Agreement, the WTO, its officials and representatives of WTO members should be accorded by each of its members such P&Is as were necessary for the independent exercise of their functions in connection with the WTO. He was concerned that certain acts which attracted criminal sanctions, such as speeding or reckless driving, should not be immune from legal actions because he failed to see how such immunity, if accorded, could be regarded as "necessary" for the exercise of functions in connection with the WTO.

53. In response, DPGC(T&L)2 explained that P&Is must be conferred on international organizations in compliance with international requirements. The implementation of the P&Is for international organizations before 1 July 1997

were provided for by way of subsidiary legislation enacted under the International Organizations and Diplomatic Privileges Ordinance (Cap 190). After the handover, a new ordinance, IO(P&Is)O (Cap 558), was enacted to serve the purpose. In this case, the WTO Order would be made under IO(P&Is)O based on the requirements in the Marrakesh Agreement and the 1947 Convention. DPGC(T&L)2 pointed out that in enacting local legislation to give effect to its international obligation, Hong Kong could not seek to diminish or reduce the P&Is to which the relevant personnel were entitled under the Marrakesh Agreement and 1947 Convention. With regard to the examples of speeding and reckless driving, he said that it would be difficult to argue that such acts were performed in the exercise of the functions and duties of the WTO. He added that the chance of someone invoking the P&Is under the WTO order should be very small.

54. Mr Ronny TONG reiterated his concerns about the propriety of according immunities from legal process as currently proposed by the Administration. He also pointed out that in enacting domestic legislation to give effect to international obligations, it had not been an invariable practice that Hong Kong adopted the requirements in full. Mr TONG specifically referred to various International Human Rights Treaties which, on account of Hong Kong's circumstances, had not been implemented in full by local legislation. He urged the Administration to examine the provisions in the Marrakesh Agreement and 1947 Convention carefully and avoid replicating indiscriminately all the provisions into the WTO Order.

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55. Head, MCO and DPGC(T&L)2 undertook to take heed of the concerns in drafting the WTO Order and ensure that its scope would not be excessive. In this connection, the Chairman remarked that it would be most useful if the Administration would provide more information on similar past cases in which Hong Kong enacted local legislation to provide P&Is to international organizations and their representatives; as well as how other hosting countries had handled similar P&Is requirements for past MCs. Head, MCO agreed to consider the matter in consultation with the Director of Administration and try to provide the necessary information to address members' concerns.

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56. Referring to paragraph 3(a) to (g) of the Administration's paper, Mr SIN Chung-kai asked whether the P&Is were proposed at the Administration's initiative or at the request of WTO. He remarked that according to his understanding, other international bodies such as the International Telecommunication Union did not seem to enjoy such a wide scope of P&Is. He noted that section 19(a) under Article VI of the 1947 Convention (Annex II of CB(1)861/04-05(08)) was broadly comparable to the immunity proposed under paragraph 3(g). However, he sought information on the provision(s) in the 1947 Convention on which paragraph 3(e) was modelled.

57. In reply, DPGC(T&L)2 clarified that paragraph 3(a) to (g) of the Administration's paper had set out in general terms the proposed P&Is for WTO having regard to the relevant sections in the 1947 Convention. Paragraph 3 (a)

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to (g) were not intended to represent the specific language which would be used in the proposed legislation. Nevertheless, he assured members that their concerns would be taken into account when drafting the WTO Order and that the P&Is provided therein would be consistent with but not wider in scope than the relevant requirements in the Marrakesh Agreement and the 1947 Convention. He added that the Administration would not include those P&Is which could be accorded through administrative measures or the existing laws of Hong Kong. Moreover, the P&Is to be conferred on each category of personnel would be clearly specified in the proposed subsidiary legislation.

Legislative process

58. To address members' concerns about the scope of the proposed subsidiary legislation, Mr Ronny TONG asked whether the Administration could provide the draft of the WTO Order for the Panel's consideration. Mr SIN Chung-kai agreed that given the tight timeframe for negative vetting, the Panel's comments on the draft WTO Order before its formal gazettal might help resolve some of the difficulties and facilitate scrutiny of the subsidiary legislation after it had been introduced into the Council.

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59. In response, DSCIT(CI)1 assured members that their views and concerns on the proposed scope of P&Is would be seriously considered and addressed during the drafting process. The Administration undertook to consider the Panel's request to provide the draft of the WTO Order and where necessary, to communicate further with members. Head, MCO said that the Administration would attempt to provide further information on past cases and overseas practices as suggested by the Chairman earlier on.

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60. In conclusion, the Chairman said that the Panel agreed that it was necessary to enact subsidiary legislation to provide P&Is for the WTO in connection with Hong Kong's hosting of MC6. She also advised that to facilitate future scrutiny of the WTO Order, the Administration should seriously consider members' request to be provided with the draft of the WTO Order for perusal prior to gazettal. The Chairman suggested and members agreed that if necessary, the Panel would consider the matter at the next meeting scheduled to be held on 15 March 2005.

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Legislative Council

LC Paper No. CB(1)1257/04-05
(These minutes have been seen
by the Administration)

Ref: CB1/PL/CI/1

Panel on Commerce and Industry

**Minutes of meeting
held on Tuesday, 15 March 2005, at 2:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP (Chairman)
Dr Hon LUI Ming-wah, JP
Hon CHAN Kam-lam, JP
Hon SIN Chung-kai, JP
Hon Vincent FANG Kang, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHIM Pui-chung
- Members absent** : Hon WONG Ting-kwong, BBS (Deputy Chairman)
Hon Ronny TONG Ka-wah, SC
- Public officers attending** : Agenda Item IV
Mr Philip YUNG
Deputy Secretary for Commerce, Industry and
Technology (Commerce & Industry) 1

Ms Janet WONG
Head
MC6 Co-ordination Office
Trade and Industry Department

Ms Patricia LUI
General Manager (Liaison & Co-ordination)
MC6 Co-ordination Office
Trade and Industry Department

Mr Frank POON
Deputy Principal Government Counsel (Treaties & Law) 2
Treaties and Law Unit
International Law Division
Department of Justice

Clerk in attendance : Ms Debbie YAU
Senior Council Secretary (1)1

Staff in attendance : Miss Anita HO
Assistant Legal Adviser 2

Ms Sharon CHAN
Legislative Assistant (1)6

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IV Hosting of the Sixth Ministerial Conference of the World Trade Organization (WTO) - Proposed subsidiary legislation relating to privileges and immunities for the WTO

LC Paper No. CB(1)1069/04-05(03) -- Information paper provided by the Administration

LC Paper No. CB(1)861/04-05(08) -- Information paper provided by the Administration for discussion on 15 February 2005

LC Paper No. CB(1)1069/04-05(04) -- Extract of minutes of meeting of the Panel on Commerce and Industry held on 15 February 2005

4. Members noted that the subject had been discussed at the last Panel meeting held on 15 February 2005. At the invitation of the Chairman, the Deputy Secretary for Commerce, Industry and Technology (Commerce and Industry) (DSCIT(CI)) briefed members on the Administration's paper (CB(1)1069/04-05(03)) providing further information on the proposed subsidiary legislation relating to privileges and immunities (P&Is) for the World Trade Organization (WTO). DSCIT(CI) recapped that the relevant P&Is must be enacted in time for Hong Kong to fulfill its international obligations in hosting the Sixth Ministerial Conference (MC6) of the WTO. He explained that the

P&Is granted to International Organizations (IOs) served to enable the IO personnel or the representatives of its members to carry out their functions without undue impediments and interferences and that the P&Is would not be conferred for their personal benefit. DSCIT(CI) further said that the P&Is provided for the WTO, its officials and representatives of its members should be at the level of P&Is granted under the 1947 United Nations Convention on the Privileges and Immunities for the Specialized Agencies (1947 Convention). Members noted that the Administration had prepared a table (Annex III to CB(1)1069/04-05(03)) setting out all the articles/sections of the 1947 Convention and highlighting the ones which were intended to be included in the proposed subsidiary legislation to be named International Organizations (Privileges and Immunities) (World Trade Organization) Order (WTO Order).

5. In this connection, Mr SIN Chung-kai said that Members of the Democratic Party supported in principle the proposed WTO Order as described in LC Paper No. CB(1)1069/04-05(03).

Granting and invoking P&Is

6. Expressing his support for the formulation and enactment of the necessary subsidiary legislation, Mr Jeffrey LAM agreed that there was urgency in this legislative exercise to ensure that the WTO, its officials and the representatives of WTO members could enjoy the relevant P&Is when they exercised their functions in Hong Kong in connection with MC6. He also considered that as every member of the IO was obliged to confer P&Is to each other with reference to the same statute/international agreement, members would in fact adopt the same standards of treatment towards each other. It was therefore important that Hong Kong should also fulfil its international obligations. Mr LAM sought information on precedent cases, if any, of foreign representatives and officials of IO concerned having committed unlawful acts at the place where P&Is had been conferred on them, and how such cases had been resolved.

7. In response, the Head, MC6 Co-ordination Office of Trade and Industry Department (Head, MCO) explained that P&Is were extended to WTO officials and representatives of its members to enable them to perform their proper functions efficiently. However, the relevant P&Is were not a blanket authority for those concerned to disregard the law or lawful directions in the jurisdiction granting such P&Is. In fact, immunity of foreign representatives might be waived with the express consent of the IO in question. Moreover, there were usually safeguards built into the statutes/international agreements to prevent abuses of P&Is. Head, MCO assured members that under section 22 of the 1947 Convention, the P&Is were not granted for personal benefit and the WTO had the right and duty to waive such immunity when deemed necessary. She advised that as understood from the research of the Department of Justice, the United Nations (UN) had in the past respected this principle and would waive the immunities conferred upon UN Specialized Agencies under the 1947 Convention if it deemed such waivers to be necessary.

8. The Deputy Principal Government Counsel (Treaties & Law) 2 (DPGC(T&L)2) supplemented that, according to a study carried out by the Department of Justice, there had not been any precedent international court case involving a trade-related IO in dispute with the host government concerning its P&Is, nor had there been any such case dealt with by the International Court of Justice. According to the findings of the study, agencies of the UN, such as the United Nations Peacekeeping Force, which carried out missions in different places, would also resort to resolving disputes relating to P&Is through bilateral negotiations rather than by relying completely on invoking their P&Is in order to avoid any possible impact on the rule of law or the private rights in the jurisdiction concerned.

Overseas arrangements

9. Mr CHAN Kam-lam agreed that it was necessary to enact the proposed WTO Order. He enquired how other jurisdictions, such as the Mainland, had fulfilled international obligations to confer P&Is on IO personnel and its members. He also sought information as to how Hong Kong had handled similar P&Is requirements for past international conferences or events involving IOs.

10. Referring to P&Is conferred by the hosts of the past five MCs, Head, MCO pointed out that due to the difference in the legal systems of the host countries, it was not feasible to make a direct comparison of the relevant legislation enacted to provide P&Is for WTO. Among the five countries which had hosted MCs, three were non-English speaking countries and their legislation was in foreign languages. The Administration had not proceeded to arrange translation for the legislation because of time constraint. For the other two MC host countries, Singapore had apparently followed closely the 1947 Convention in implementing the P&Is. The United States (US) had also provided P&Is for the WTO, its officials and the representatives of its members following closely the 1947 Convention with necessary clarifications and adaptations in relation to subjects such as taxation.

11. Regarding the arrangements in the Mainland, DPGC(T&L)2 advised that unlike the common law tradition in Hong Kong which required the enactment of local legislation to transform requirements on P&Is from the international legal plane to the domestic legal plane, the Mainland handled the P&Is requirements for WTO in a different way. Following the Mainland's accession to the WTO, the relevant provisions of the 1947 Convention, including those relating to P&Is in respect of the WTO, would have taken effect directly within the Mainland. As such, so far as he was aware, no domestic legislation had been enacted in the Mainland to specifically confer P&Is upon the WTO.

12. Regarding the P&Is for WTO vis-à-vis those for other IOs previously implemented in Hong Kong, Head, MCO recapped that P&Is for IOs before the enactment of the International Organizations (Privileges and Immunities) Ordinance (IO(P&Is)O) (Cap 558) were provided for by way of subsidiary

legislation made under the International Organizations and Diplomatic Privileges Ordinance (Cap 190). Since the enactment of IO(P&Is)O, the only international organization granted P&Is under this Ordinance was the Office of the Commission of the European Communities but the case was different in that it was a supranational institution. She further pointed out that since each IO was governed by a different international agreement and their functions and nature of activities in Hong Kong might not be the same, a direct comparison of the P&Is granted to various IOs might not be very useful. Nevertheless, Head, MCO pointed out that the fundamental spirit and principles underpinning the implementation of P&Is for the WTO in Hong Kong would be similar to those for other IOs.

The drafting approach

13. On the drafting approach, the Assistant Legal Adviser 2 enquired whether the relevant provisions of the 1947 Convention would be spelt out in full, or whether reference would merely be made to the relevant articles/sections of the Convention in the proposed WTO Order. In reply, DPGC(T&L)2 said that the proposed WTO Order would only include those specific provisions in the 1947 Convention that needed to be implemented by local legislation. The Administration had examined each article/section of the 1947 Convention to see (a) whether it was relevant to the WTO; (b) whether it affected private rights and obligations; (c) whether it required exceptions to be made to the existing laws of the Hong Kong Special Administrative Region (HKSAR); and (d) whether it could be accorded through administrative arrangements or the existing laws of the HKSAR. He added that the Administration's current thinking was to list out these specific provisions, which would be adapted if necessary in the proposed WTO Order.

14. The Chairman remarked that the Administration had provided useful supplementary information to facilitate members' consideration, in particular the detailed table at Annex III which highlighted those specific provisions in the 1947 Convention that would be included in the proposed subsidiary legislation. Summing up, the Chairman said that the Panel agreed that the Administration should introduce the proposed WTO Order into the Council as soon as possible with a view to enacting it within the current legislative session.

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