

香港特別行政區政府
工商及科技局
工商科

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COMMERCE AND INDUSTRY BRANCH
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17 July 2006

Ms Kitty Cheng
Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat

Dear Ms Cheng,

Proposed Section 54A of the Copyright (Amendment) Bill 2006

I refer to your letter dated 11 July 2006.

Your Question 1

While I believe you would tender your advice on the nature and scope of the business, work or activities of the Legislative Council which are not within the scope of "proceedings of the Legislative Council" as requested by Members of the Bills Committee, I set out the Administration's views for your consideration. We consider that the meetings of the Council and various panels and subcommittees of the Council should be within the scope of "proceedings of the Legislative Council". The following are examples of work and activities of the Legislative Council which are likely to fall outside the scope of "proceedings of the Legislative Council" -

- (a) meetings with members of the District Councils to discuss and exchange views on matters of mutual interest but are not related to the discussion at any Council meeting, panel or subcommittee;
- (b) the redress system operated by the Legislative Council to receive representations from members of the public on issues relating to government policies, decisions, practices and procedures, as well as complaints relating

to non-government bodies providing services for the general public; and

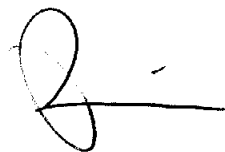
- (c) the research and reference support provided by the Legislative Council Library to individual Members on general matters which are not intended to be raised at specific meetings of the Council, any panel or subcommittee.

Your Question 2

As stated in the Bills Committee meeting on 6 July 2006, “judicial proceedings” is defined under section 198(1) of the Copyright Ordinance (Cap. 528) to include proceedings before any court, tribunal or person having authority to decide any matter affecting a person’s legal rights or liabilities. The following are examples of activities or work of the Judiciary which are likely to be outside the scope of “judicial proceedings” –

- (a) matters relating to the internal administration of the Judiciary;
- (b) family mediation service provided by the Family Mediation Coordinator’s Office;
- (c) staffing training activities; and
- (d) exchange programmes with overseas judicial authorities or professionals.

Yours sincerely,



(Ms Priscilla To)

for Secretary for Commerce, Industry and Technology