

**立法會**  
**Legislative Council**

Ref : CB2/BC/2/05

LC Paper No. CB(2)608/06-07  
(These minutes have been seen by  
the Administration)

**Bills Committee on  
Interception of Communications and Surveillance Bill**

**Minutes of meeting  
held on Monday, 26 June 2006, at 8:30 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Dr Hon LUI Ming-wah, SBS, JP  
Hon Margaret NG  
Hon James TO Kun-sun  
Hon Bernard CHAN, JP  
Hon CHAN Kam-lam, SBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon SIN Chung-kai, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, SBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Vincent FANG Kang, JP  
Hon LI Kwok-ying, MH  
Hon Daniel LAM Wai-keung, BBS, JP  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon CHEUNG Hok-ming, SBS, JP  
Hon WONG Ting-kwong, BBS  
Hon Ronny TONG Ka-wah, SC  
Hon Patrick LAU Sau-shing, SBS, JP
- Members absent** : Hon LAU Kong-wah, JP (Deputy Chairman)  
Hon Martin LEE Chu-ming, SC, JP  
Dr Hon David LI Kwok-po, GBS, JP  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP

Dr Hon Philip WONG Yu-hong, GBS  
Hon Emily LAU Wai-hing, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Dr Hon Joseph LEE Kok-long  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung

**Public Officers :** Mr Stanley YING  
**attending** Permanent Secretary for Security

Miss S H CHEUNG  
Deputy Secretary for Security

Mr Ian WINGFIELD  
Law Officer (International Law)  
Department of Justice

Ms Sherman CHAN  
Senior Assistant Law Draftsman

**Clerk in** : Mrs Sharon TONG  
**attendance** Chief Council Secretary (2)1

**Staff in** : Mr LEE Yu-sung  
**attendance** Senior Assistant Legal Adviser 1

Mr Raymond LAM  
Senior Council Secretary (2)5

Mr Ken WONG  
Legislative Assistant (2) 8

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## **I. Meeting with the Administration**

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

2. The Bills Committee requested the Administration to consider including in the annual report of the Commissioner on Interception of Communications and Surveillance (the Commissioner) the respective number of cases found and not found in the applicant's favour after examination.

3. The Administration agreed to refer to the Commissioner the suggestion that a person should be appointed to advise the Commissioner on legal issues. The Administration also agreed to consider setting out in an appropriate document the power of the Commissioner to administer his staff.

4. The Administration advised that revisions to the code of practice would be published as a general notice in the Gazette.

## **II. Date of next meeting**

5. The Bills Committee agreed that a further meeting of the Bills Committee would be scheduled for Tuesday, 27 June 2006 at 8:30 am to discuss the timing for resumption of the Second Reading debate on the Bill and continue discussion with the Administration.

6. The meeting ended at 10:45 am.

Council Business Division 2  
Legislative Council Secretariat  
11 December 2006

**Proceedings of meeting of the  
Bills Committee on  
Interception of Communications and Surveillance Bill  
on Monday, 26 June 2006, at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 - 001724	Chairman Hon Margaret NG Hon Andrew LEUNG Hon Tommy CHEUNG Hon Audrey EU Hon Mrs Sophie LEUNG Hon LI Kwok-ying Hon Howard YOUNG Hon Jeffrey LAM Hon Ronny TONG	Progress of scrutiny of the Bill; timing for reporting the deliberations of the Bills Committee to the House Committee; timing for resumption of Second Reading debate on the Bill; scheduling of a further meeting on the next day	
001725 - 001821	Admin	Briefing on the Administration's response in paragraph 103 of the Administration's paper entitled "Response to issues raised" (LC Paper No. CB(2)2532/05-06(01))	
001822 - 004057	Hon James TO Hon Mrs Sophie LEUNG Admin Chairman	Administration's response in paragraph 100 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01))	
004058 - 004439	Admin Hon James TO Chairman	Administration's response in paragraph 104 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); referring to the Commissioner on Interception of Communications and Surveillance (the Commissioner) the suggestion that a person should be appointed to advise the Commissioner on legal issues	

Time marker	Speaker	Subject(s)	Action Required
004440 - 010330	Admin Hon James TO Chairman Hon Margaret NG	Administration's response in paragraphs 105 to 107 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/ 05-06(01)); renewal of authorisations; including in the Commissioner's annual report the respective number of cases found and not found in the applicant's favour after examination	<b>Admin to consider including in the Commissioner's annual report the respective number of cases found and not found in the applicant's favour after examination</b>
010331 - 011425	Hon Albert HO Chairman Hon CHAN Kam-lam Hon Mrs Sophie LEUNG Hon James TO Hon Howard YOUNG	Meeting to be held in the next morning	
011426 - 012937	Hon Albert HO Hon James TO Admin Chairman	Whether the number of emergency authorisations would be included in the Commissioner's annual report; whether statistics on cases relating to public security could be included in the Commissioner's annual report	
012938 - 013225	Admin Hon James TO Chairman	Administration's response in paragraph 108 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); reflecting expenditure on covert operations in the 2007/08 Estimates	
013226 - 015248	Chairman Hon Albert HO Hon Howard YOUNG Hon James TO Hon Mrs Sophie LEUNG Hon Andrew LEUNG Hon Jasper TSANG Hon Tommy CHEUNG	Meeting to be held in the next morning	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
015249 - 015543	Admin Hon James TO Chairman	Administration's response in paragraphs 109 to 113 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01))	
015544 - 015917	Admin Hon James TO Chairman	Administration's response in paragraph 114 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01))	
015918 - 020221	Admin Hon Albert HO Chairman	Administration's response in paragraph 115 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); publishing revisions to the code of practice as a general notice in the Gazette	
020222 - 021230	Admin Hon Albert HO Hon James TO	Administration's response in paragraph 116 of the Administration's paper entitled "Response to issues raised"(LC Paper No. CB(2)2532/05-06(01)); setting out in an appropriate document the power of the Commissioner to administer his staff	
021231 - 021309	Chairman	Date of next meeting	