

立法會
Legislative Council

Ref : CB2/BC/2/05

LC Paper No. CB(2)645/06-07
(These minutes have been seen by
the Administration)

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

**Minutes of meeting
held on Thursday, 6 July 2006, at 4:30 pm
in Conference Room A of the Legislative Council Building**

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

Hon Jasper TSANG Yok-sing, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Vincent FANG Kang, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Patrick LAU Sau-shing, SBS, JP

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

Ms Frances HUI
Senior Government Counsel

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

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration to provide information on

the safeguards for intelligence derived from interception and covert surveillance products, including -

- (a) the criteria for the selection of information obtained for storage in the intelligence database;
- (b) the control on access to the database; and
- (c) the control on the use of such intelligence.

3. The Administration advised that it would include in the code of practice examples of what constituted more intrusive Type 2 surveillance which law enforcement agencies should pay particular attention to in planning their operations.

II. Date of next meeting

4. The Bills Committee noted that the next meeting had been scheduled for 8 July 2006 at 9:00 am to continue discussion with the Administration.

5. The meeting ended at 6:30 pm.

Council Business Division 2
Legislative Council Secretariat
13 December 2006

**Proceedings of meeting of the
Bills Committee on
Interception of Communications and Surveillance Bill
on Thursday, 6 July 2006, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000155	Chairman	Opening remarks	
000156 - 000918	Admin Hon Howard YOUNG Hon Emily LAU Chairman	Administration's response in paragraph 5 of the Administration's paper entitled "Response to issues raised at the meeting on 24 June 2006" (LC Paper No. CB(2)2556/05-06 (02))	
000919 - 001549	Hon Ronny TONG Hon Margaret NG Chairman Admin Clerk	Timing for discussion of the draft code of practice to be issued by the Secretary for Security under the Bill; timing for reporting the deliberations of the Bills Committee to the House Committee	
001550 - 001828	Admin Hon Emily LAU Chairman	Administration's response in paragraphs 6 and 7 of the Administration's paper entitled "Response to issues raised at the meeting on 24 June 2006" (LC Paper No. CB(2)2556/05-06 (02))	
001829 - 002014	Admin	Briefing on the Administration's response in paragraphs 8 and 9 of the Administration's paper entitled "Response to issues raised at the meeting on 24 June 2006" (LC Paper No. CB(2)2556/05-06 (02))	
002015 - 002259	Hon Margaret NG Admin	Meaning of "the particular serious crime" in paragraph 8 of the Administration's paper	
002300 - 002934	Hon Ronny TONG Admin Chairman	Whether there should be an express reference to the Basic Law in the Bill	

Time marker	Speaker	Subject(s)	Action Required
002935 - 005653	Hon James TO Hon Margaret NG Hon LEUNG Kwok-hung Hon Emily LAU Chairman Admin	Storage and use of intelligence derived from interception of communications and covert surveillance authorised under the Bill	
005654 - 020016	Hon James TO Hon Margaret NG Hon LAU Kong-wah Hon LEUNG Kwok-hung Hon Ronny TONG Chairman SALA1 Admin	Safeguards for intelligence derived from interception of communications and covert surveillance products	Admin to provide information on safeguards for intelligence derived from interception and covert surveillance products, including the criteria for the selection of information obtained for storage in the intelligence database, the control on access to the database and the control on the use of such intelligence
020017 - 020053	Chairman	Date of next meeting	