

立法會
Legislative Council

Ref : CB2/BC/5/06

LC Paper No. CB(2)1722/06-07
(These minutes have been seen by
the Administration)

**Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill**

**Minutes of meeting
held on Tuesday, 13 March 2007, at 2:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Hon KWONG Chi-kin (Deputy Chairman)
Hon Margaret NG
Hon WONG Yung-kan, JP
Hon Howard YOUNG, SBS, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, JP
- Members absent** : Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon CHIM Pui-chung
- Public Officers attending** : Ms Grace LUI
Deputy Secretary for Security
- Mr Alan CHU
Principal Assistant Secretary for Security
- Miss Ada CHAN
Assistant Secretary for Security
- Ms Fanny IP
Senior Assistant Law Draftsman

Ms Cindy YAU
Senior Government Counsel

Mr Paul TSANG
Senior Government Counsel

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

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

Mr Timothy TSO
Assistant Legal Adviser 2

Mr Raymond LAM
Senior Council Secretary (2) 5

Ms Camy YOONG
Clerical Assistant (2) 1

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration -
 - (a) to consider deleting clause 5(2) of the Bill;
 - (b) to provide the list of local legislation that applied only to the New Territories; and
 - (c) to explain the meaning of the phrase "to administer the Hong Kong Port Area at the Shenzhen Bay Port as a closed area" in paragraph 2(a) of the preamble and how it was to be implemented through local legislation.
3. The Administration advised that it would consider providing in clause 6 that, notwithstanding that the land within the Hong Kong Port Area was leased from the People's Government of the Shenzhen Municipality of Guangdong Province, the land was regarded, for the purpose of applying the laws of Hong Kong in the Hong Kong Port Area, as part and parcel of the Government land lying within Hong Kong.

4. The Administration also advised that it would provide a paper on issues relating to insurance policies in the proposed Hong Kong Port Area before the end of March 2007.

5. The Bills Committee agreed that the views of deputations would be sought on the implications of clause 6(1) and clause 8.

II. Date of next meeting

6. The Bills Committee noted that the next meeting would be held on 16 March 2007 at 10:45 am to continue discussion with the Administration.

7. The meeting ended at 4:30 pm.

Council Business Division 2
Legislative Council Secretariat
30 April 2007

**Proceedings of meeting of the
Bills Committee on
Shenzhen Bay Port Hong Kong Port Area Bill
on Tuesday, 13 March 2007, at 2:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000218	Chairman	Opening remarks	
000219 - 000300	Admin	Briefing on clause 4	
000301 - 000718	Hon Howard YOUNG Admin	Whether the Hong Kong section of the Shenzhen Bay Bridge would be designated as closed area; closed road permits for the closed area	
000719 - 000748	Admin	Briefing on clause 5	
000749 - 003002	Admin Chairman Hon Margaret NG Hon Emily LAU Deputy Chairman SALA1 Hon Abraham SHEK	Whether an order made under clause 5(2) would be subject to negative or positive vetting; whether clause 5(2) should be deleted; whether provisions similar to that in clause 5(2) was found in other local legislation	Admin to consider deleting clause 5(2) of the Bill
003003 - 003321	Hon Margaret NG Admin	List of local legislation that applied only to the New Territories	Admin to provide the list of local legislation that applied only to the New Territories
003322 - 003444	Hon Emily LAU Admin	Location of diagrams/plans indicating the boundary of the Hong Kong Port Area in the Bill	
003445 - 003535	Admin	Briefing on clause 6	
003536 - 011212	Hon Emily LAU Chairman Hon Margaret NG Hon Miriam LAU Admin SALA1	Whether there was a need to regard land within HKPA as Government land lying within Hong Kong; providing in clause 6 that, notwithstanding that the land within the Hong Kong Port Area was leased from the	Admin to explain the meaning of the phrase "to administer the Hong Kong Port Area at the Shenzhen Bay Port as a closed

Time marker	Speaker	Subject(s)	Action Required
		People's Government of the Shenzhen Municipality of Guangdong Province, the land was regarded, for the purpose of applying the laws of Hong Kong in the Hong Kong Port Area, as part and parcel of the Government land lying within Hong Kong; nature of the lease for HKPA and date of expiry of the lease; seeking the views of deputations on the implications of clause 6(1); legal effect of the preamble; meaning of the phrase "to administer the Hong Kong Port Area at the Shenzhen Bay Port as a closed area" in paragraph 2(a) of the preamble and how it was to be implemented through local legislation	area" in paragraph 2(a) of the preamble and how it was to be implemented through local legislation
011213 - 011334	Admin Chairman	Examination of clause 7	
011335 - 011443	Admin	Briefing on clause 8	
011444 - 015709	Hon Emily LAU Hon Margaret NG Deputy Chairman Chairman Admin	Whether there were examples of the pre-existing rights and obligations referred to in clause 8; scope of such rights and obligations; drafting of clause 8; issues relating to insurance policies in the proposed Hong Kong Port Area; whether the Bill had any impact on wills; seeking the views of the legal profession on the implications of clause 8	
015710 - 015814	Chairman	Date of next meeting	