

CSO/ADM CR1/1806/99(07) Pt. 31

31 January 2007

Panel on Constitutional Affairs
Legislative Council
8 Jackson Road
Hong Kong
(Attn: Mrs Percy Ma)

Dear Mrs Ma,

**Meeting of Panel on Constitutional Affairs on 18 December 2006
Application of Certain Provisions of the
Prevention of Bribery Ordinance to the Chief Executive**

Thank you for letting us have sight on the draft notes of the panel meeting held on 18 December 2006. We have marked our comments in manuscript for your further actions please.

We have sought legal advice on the Hon Martin Lee's question as to whether section 10(1)(b) of the Prevention of Bribery Ordinance would apply to all unexplained property, including those located outside Hong Kong. According to legal advice, the expression "in control of pecuniary resources or property" in this section covers property outside Hong Kong. In fact, most of the prosecutions under the section have involved property situated outside Hong Kong.

Yours sincerely,

(Miss Shirley Yung)
for Director of Administration