

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1558/20-21  
(These minutes have been seen  
by the Administration)

Ref : CB2/BC/7/20

**Bills Committee on Crimes (Amendment) Bill 2021**

**Minutes of fifth meeting**  
**held on Tuesday, 24 August 2021, at 10:00 am**  
**in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Elizabeth QUAT, BBS, JP (Chairman)  
Hon YUNG Hoi-yan, JP (Deputy Chairman)  
Hon Paul TSE Wai-chun, JP  
Hon SHIU Ka-fai, JP  
Hon Vincent CHENG Wing-shun, MH, JP
- Member absent** : Dr Hon CHENG Chung-tai
- Public Officers attending** : Item I
- Miss Shirley YUNG Pui-man, JP  
Deputy Secretary for Security 1
- Ms Joceline CHUI Shih-yen  
Principal Assistant Secretary (Security) E
- Ms Michelle CHOI Wai-ting  
Assistant Secretary (Security) E2
- Ms Yolanda YU Hoi-kwan  
Chief Superintendent of Police (Crime Support)  
(Crime Wing)
- Mr Raymond LAM Cheuk-ho  
Senior Superintendent of Police (Cyber Security,  
Forensics and Training) (Cyber Security and  
Technology Crime Bureau)

Mr Jonathan LUK King-hang  
Senior Government Counsel  
Law Drafting Division  
Department of Justice

**Clerk in attendance** : Miss Betty MA  
Chief Council Secretary (2) 1

**Staff in attendance** : Miss Joyce CHAN  
Assistant Legal Adviser 1

Ms Gloria TSANG  
Senior Council Secretary (2) 7

Ms Kiwi NG  
Legislative Assistant (2) 1

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

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

## **II. Any other business**

2. The Chairman concluded that the Bills Committee had completed the scrutiny of the Bill. Members noted that the Administration intended to resume the Second Reading debate on the Bill at the Council meeting of 29 September 2021. Members also noted that the Chairman of the Bills Committee would report the deliberations of the Bills Committee to the House Committee on 10 September 2021. The deadline for giving notice to move amendments to the Bill was 18 September 2021.

3. There being no other business, the meeting ended at 10:37 am.

**Proceedings of fifth meeting of the  
Bills Committee on Crimes (Amendment) Bill 2021  
held on Tuesday, 24 August 2021, at 10:00 am  
in Conference Room 1 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s) / Discussion</b>	<b>Action Required</b>
000535 - 000657	Chairman	Opening remarks	
000658 - 001742	Chairman Admin	Briefing by the Administration on its response to issues raised at the meeting on 16 July 2021 (LC Paper No. CB(2)1386/20-21(02))	
001743 - 002241	Chairman Admin	Members agreed that the Bills Committee would continue the clause-by-clause examination of the Bill with reference to the Administration's proposed amendments to the Bill (Annex II to LC Paper No. CB(2)1386/20-21(02)).  Examination of the proposed new sections 159AAD and 159AAE (Division 2) under clause 3 of the Bill.	
002242 - 002542	Chairman Admin	Examination of the proposed new sections 159AAF to 159AAJ (Division 3) under clause 3 of the Bill.	
002543 - 004005	Admin Chairman ALA1	Examination of the proposed new sections 159AAK to 159AAO (Division 4) under clause 3 of the Bill.  <u>Proposed new section 159AAL(1)</u>  Assistant Legal Adviser 1 ("ALA1") sought clarification regarding the time for making an application for a disposal order during criminal proceedings in relation to a specified offence. The Administration advised that the proposed disposal order sought to render timely protection to victims. As such, an application for disposal order could be made any time during the criminal proceedings of a specified offence.  In response to the Chairman and ALA1's query concerning the phrase "application made in the name of the Secretary for Justice", the Administration referred to similar provisions in other legislation, such as in Schedule 2 to the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) regarding the recovery of fixed penalty.  <u>Proposed new section 159AAL(3)(a)(ii)</u>  The Chairman's enquiry and the Administration's response regarding the meaning of "an intimate image of an individual".	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s) / Discussion</b>	<b>Action Required</b>
004006 - 004154	Chairman Admin	Completion of scrutiny work on the Bill and the legislative timetable.	

Council Business Division 2  
Legislative Council Secretariat  
15 October 2021