

Action on treason bill 'urgent'

By Cecilia So

PREPARATORY Committee member Tam Yiu-chung has suggested the provisional legislature amend the Crimes Ordinance before the handover to avoid a legal vacuum.

The amendment is on the agenda of the Sino-British Joint Liaison Group (JLG), but Mr Tam, vice-chairman of the pro-China Democratic Alliance for the Betterment of Hong Kong (DAB), is not optimistic agreement can be

reached before the handover.

The Crimes Ordinance and the Official Secrets Act, the two existing laws on treason, secession, sedition and subversion, have to be amended in accordance with Basic Law Article 23 to make them applicable after the handover.

"With the complexity of the ordinance and the difficulty in defining it, I personally don't think the JLG will reach agreement before the handover," Mr Tam said.

To avoid the legal vacuum which might occur before the legislation could be enacted by the Special Administrative Region (SAR) government, Mr Tam suggested the provisional legislature amends the ordinance to make it applicable on 1 July.

"All the provisional legislature needs to do is to amend Crimes Ordinance Article 200 and make it applicable until the SAR enacts the legislation," Mr Tam suggested.

The Legislative Council has voted to write to the government proposing that it put forward the draft amendment in January if the JLG cannot reach an agreement.

Chief executive candidate Sir Ti Liang Yang suggested the ordinance should be enacted by the first post-handover legislature, but not the provisional legislature.

Mr Tam saw no contradiction between his proposal and Sir Ti Liang's.

"What I suggested was only a temporary resolution. The SAR remains the sole authority to enact laws after 1997," he said.