

**立法會**  
**Legislative Council**

LC Paper No. LS9/00-01

**Paper for the House Committee Meeting  
of the Legislative Council on 3 November 2000**

**Legal Service Division Report on  
Drug Dependent Persons Treatment and  
Rehabilitation Centres (Licensing) Bill**

**Objects of the Bill**

To establish a regulatory scheme for centres providing voluntary residential treatment and rehabilitation for drug dependent persons.

**LegCo Brief Reference**

2. NCR 2/4/1 Pt.13 issued by the Security Bureau on 18 October 2000.

**Date of First Reading**

3. 1 November 2000.

**Comments**

4. The existing Drug Addicts Treatment and Rehabilitation Ordinance (Cap. 326) ("the Ordinance") provides for the establishment and administration of centres for the treatment and rehabilitation of addicts of drug and intoxicants. Under the Ordinance the Chief Executive in Council may by order declare any place to be an Addiction Treatment Centre for the detention, custody, treatment, care and rehabilitation of drug addicts. Admission into these centres is voluntary, but the treatment and rehabilitation is on a residential basis. Currently only two centres operated by the Society for the Aid and Rehabilitation of Drug Abusers have been declared as Addiction Treatment Centres, one on the island of Shek Kwu Chau and a women's centre in Shatin. Voluntary treatment centres operated by other non-government organizations are not covered by the Ordinance.

5. In 1997, the Administration established an inter-departmental working group to review the existing treatment and rehabilitation policy of drug dependent persons. Based on the findings of the working group, the Administration considers that the Ordinance should be repealed and be replaced by a new ordinance providing for a licensing scheme for voluntary residential treatment and rehabilitation centres.

6. A Bill of similar name and mostly similar proposals had been introduced into the Legislative Council in February 2000, and a Bills Committee was formed. Due to unavailability of time slot to activate the Bills Committee, that Bill lapsed at the end of the

previous term. The present Bill contains certain minor changes which are outlined in paragraph 2 of the LegCo Brief.

7. The Bill mainly deals with licensing aspects of treatment centres. Under the Bill, a treatment centre means any place used or intended to be used for the treatment of drug dependence or rehabilitation of 4 or more drug dependant persons on a voluntary and residential basis. In particular, the Bill provides for the procedure and criteria for the issue renewal and cancellation of licences, inspection of treatment centres, issue of Codes of Practice, and regulation-making powers of the Chief Executive in Council.

8. Under the Bill, the Director of Social Welfare has the power to issue Codes of Practice. The Codes of Practice would set out the principles, procedures or guidelines for the operation, management and control of treatment centres, and would provide practical guidance in respect of the requirements of the new ordinance. On the other hand, subsidiary legislation to be made by the Chief Executive in Council may prescribe for the management, physical requirements and supervision of centres.

### **Public Consultation**

9. Paragraph 30 of the LegCo Brief states that the proposed licensing scheme is supported by the affected agencies, Provisional District Boards and the Action Committee Against Narcotics.

### **Consultation with the LegCo Panel**

10. The Panel on Security was briefed on the proposed licensing scheme on 11 February 1999. Members of the Panel generally supported the proposal at that time.

### **Conclusion**

11. The Bill concerns new policy in the regulation of residential treatment and rehabilitation centres for drug dependent persons. Members may wish to form a Bills Committee to consider the policy aspects of the proposed regulation scheme in more detail.

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