

傳真及專遞

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立法會秘書處
內務委員會主席
周梁淑怡女士
(傳真號碼：2509-9055)

主席：

《〈藥物依賴者治療康復中心（發牌）條例〉（2001 年第 10 號）
2002 年（生效日期）公告（第 20 號法律公告）》

據報，有部份康復中心在申請牌照過程中遇到有關土地用途的困難，擔心無法取得牌照繼續運作。以上草案審議期間，行政、立法及有關服務提供機構均同意草案提高消防及建築物安全標準的目標，並由行政機關協助安排向不同基金申請足夠撥款進行有關工程。

為確保各中心提高安全標準之餘，可保持暢順運作，草案審議委員會支持法案通過之後，不能馬上生效，直至有關機構所須資源申請安排落實。現因土地運用問題可能引致部份中心未能符合申請牌照要求，我請主席允許於 2002 年 3 月 1 日內務委員會會議討論成立小組委員會審議以上公告以釋疑慮，並決定應否支持該法例於 2002 年 4 月 1 日開始生效。

何秀蘭
立法會議員

連附件：2002 年 2 月 25 日報章報導

2002 年 2 月 26 日

Drug care centres face closure

Legislator criticises officials for failing to warn that new law could shut down rehabilitation facilities

Patsy Moy and Alex Lo

At least half the private drug rehabilitation centres in Hong Kong may face closure or relocation under a new licensing law, a veteran social worker has warned.

The changes have also attracted criticism from legislator Cyd Ho Sau-lan, who helped secure the bill's passage last year. She accused officials of failing to warn lawmakers of the possible implications of the legislation.

The law, passed in May and due to come into effect this April, requires all of the drug centres to meet the fire safety and land use regulations that apply to government leases.

An operator of one of the centres said it would cost millions to make his rehabilitation centre comply with the new rules.

Fourteen non-government groups – which operate 38 treatment centres for about 700 addicts – must apply for licences

between April and June to continue operating, according to the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.

Many centres were set up years ago and had not bothered to check zoning requirements. It was only after the new rules were passed that the centres were warned they could face closure.

The Social Welfare Department has confirmed at least 10 centres appeared to have breached land use rules.

The Reverend Charles McKnelly, director of Glorious Praise Fellowship, one of the 14 drug help groups, estimated at least half of the 38 centres were likely to have breached zoning laws or government fire safety laws.

Neither Mr McKnelly nor the Social Welfare Department would name the centres, so it was not possible to estimate how many addicts might be affected.

However, Mr McKnelly admitted his own centre, housed in a



Charles McKnelly at his group's centre in Siu Lam, Tuen Mun. David Wong

40-year-old building in Siu Lam village, Tuen Mun, was illegally located in a green-belt zone.

Rezoning would require building a new road and providing fire safety facilities at a cost of millions of dollars.

Although the non-government groups will have an eight-year

grace period to meet the requirements, exemption can be withdrawn during this time if the department considers public safety and the well-being of neighbours to have been adversely affected.

The Social Welfare Department said in a statement: "Around 10 centres may be re-

quired to approach the Lands and/or Planning departments as appropriate to ascertain if they are in contravention of the permitted user condition of the relevant government leases and the provisions of the relevant statutory town plans.

"Our licensing office had explained to Reverend Charles McKnelly that he needed to submit a rezoning application to the Town Planning Board if he would like to continue to use the place for the purpose of a treatment centre and to obtain a licence."

Ms Ho, of The Frontier, who chaired the Legco bills committee that passed the law, said she was now having second thoughts. She said she would consult lawyers to see whether the law's enactment date could be delayed until the land use issues were resolved.

"I would not have passed the bill if I and other legislators knew about zoning and land use," she said. "The Government never raised these issues, while it kept

telling us adequate funding would be available for fire and building safety upgrades."

Jacob Lam Hay-sing, director of the Christian Zheng Sheng Association, said three of his group's centres in Kam Tin and on Lantau would fail fire safety requirements.

He has appealed, without success, to the Government to help rebuild his centres since 1996. "The Government did not provide support when the organisations launched their rehabilitation services years ago, so people can imagine how poor a condition most centres are in," he said.

"Even if the grace period is further extended to 10 or 20 years, it would not help us without material support from the Government. The centres will be unable to continue without co-operation from the Lands and Planning departments, which can help with rezoning and redevelopment."

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