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28th February 2002

The Hon. Mrs. Selina Chow Liang Shuk-ye, J.P.
Chairman of the House Committee
Legislative Council Secretariat
3rd floor, Citibank Tower
(Fax No. 2509 9055)

Dear Madam Chairman,

Drug Dependent Persons Treatment and
Rehabilitation Centres (Licensing) Ordinance (10 of 2001)
(Commencement) Notice (Legal Notice No. 20)

I refer to the Hon Cyd Ho's letter of 26.2.2002 to you on this subject, which was faxed to us yesterday. The Hon Cyd Ho mentioned in her letter that certain rehabilitation centres were worried that because of land use issues they might not be able to obtain the necessary licence to continue their operation. In this regard, our reply is set out in the following paragraphs.

The Government's objective in introducing the licensing scheme is to provide a regulatory framework that is in line with present day requirements for voluntary residential drug treatment and rehabilitation centres, and to protect the well-being of persons undergoing treatment in these centres. The licensing scheme will only have limited implication as only 38 such rehabilitation centres operated by 14 non-government agencies will be affected.

The Planning Department's preliminary assessment reveals that among the affected centres, only a few (about 6) will be required to make planning applications to meet town planning requirements. The Government is offering the necessary assistance to these centres in respect of such applications. In fact, the Government has committed, both during the consultation with agencies and scrutiny of the Bill by the Legislative Council, to helping the

affected centres, including on matters relating to land. The Government has also pledged to provide a grace period of 4 to 8 years to these centres and to give priority consideration to their applications for certain funds, so that they could have sufficient time and resources to meet the licensing standards.

I want to stress that public consultation on the licensing scheme was conducted in 1998 and drafting of the relevant legislation started only after public views collected during the consultation had been reviewed and taken into account. The related Bill was introduced into the Legislative Council in November 2000 and was passed in April 2001 after scrutiny by a bills committee. The implementation of scheme had gone through wide public consultation and detailed preparation. All the concerned parties are now looking forward to the commencement of the scheme on 1 April so that the centres can apply for licences and improve their services early, while the well-being of those undergoing treatment in these centres will be protected. We hope that the House Committee would take the forgoing into consideration when it considers the proposal to form a subcommittee to consider Legal Notice No 20.

Yours sincerely,

(Ms Mimi Lee)
for Commissioner of Narcotics