

立法會
Legislative Council

LC Paper No. CB(2) 847/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE/1

Panel on Security

**Minutes of meeting held on Thursday, 5 December 2002
at 2:30 pm in the Chamber of the Legislative Council Building**

Members present : Hon LAU Kong-wah (Chairman)
Hon James TO Kun-sun (Deputy Chairman)
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon Andrew WONG Wang-fat, JP
Hon WONG Yung-kan
Hon Howard YOUNG, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon IP Kwok-him, JP
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, JP
Hon Michael MAK Kwok-fung

Public Officers attending : Item III

Mr Michael WONG
Deputy Secretary for Security

Mr Alan CHU
Principal Assistant Secretary for Security (D)

Miss May CHAN
Assistant Secretary for Security

Mr Raymond WONG Wai-man
Assistant Director of Immigration

Mr CHEUNG Chin-hung
Principal Immigration Officer
Immigration Department

Mr Albert LAI
Chief Systems Manager
Immigration Department

Item IV

Mrs Regina IP
Secretary for Security

Mrs Clarie LO
Commissioner for Narcotics

Mrs Margaret CHAN
Principal Assistant Secretary for Security (A)

Mr TANG King-shing
Director of Operations
Hong Kong Police Force

Mr FOK Man-kwan
Assistant Commissioner of Police (Operations)

Mr LO Yik-kee
Assistant Commissioner of Police (Crime)

Ms Manda CHAN
Assistant Secretary for Security

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2) 1

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Ms Dora WAI
Senior Assistant Secretary (2) 4

Action

I. Confirmation of minutes of previous meeting and matters arising
(LC Paper Nos. CB(2)494/02-03 and CB(2)493/02-03(01))

The minutes of the meeting held on 7 November 2002 were confirmed.

2. Members noted the contents of the information paper provided by the Administration concerning public access to the Police General Orders (PGO). Given that it would take at least three months for the Administration to complete the necessary work for making PGO available for direct public access electronically through information kiosks in police report rooms, members agreed that the Administration should provide the Panel with a progress report on its work in this regard after three months.

Adm

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)520/02-03(01) and (02))

3. Members noted the list of follow-up actions required of the Administration.

4. Members agreed that the following items be discussed at the next meeting to be held on Thursday, 16 January 2003 at 10:45 am -

(a) Crime situation in 2002; and

(b) Stage two anti-terrorism legislative exercise - United Nations (Anti-Terrorism Measures) (Amendment) Bill.

5. Members also agreed that a special meeting be held on Tuesday, 21 January 2003 at 8:30 am to follow up the issues relating to the death of an inmate in Siu Lam Psychiatric Centre in November 2001 discussed at the special meeting on 5 November 2002.

(Post-meeting note : At the request of the Administration and with the concurrence of the Chairman, the special meeting on 21 January 2003 has been rescheduled to Thursday, 23 January 2003 at 8:30 am.)

III. Implementation of Phase II of the updated Information Systems Strategy in the Immigration Department - Automated Passenger Clearance System and Automated Vehicle Clearance System
(LC Paper No. CB(2)520/02-03(03))

6. Deputy Secretary for Security (DS for S) and Assistant Director of Immigration (AD of Imm) briefed members on the proposed Automated Passenger Clearance (APC) System and Automated Vehicle Clearance (AVC) System, being two key projects under Phase II of the updated Information Systems Strategy for the Immigration Department (ImmD), as set out in the Administration's paper.

Action

7. Principal Immigration Officer, Immigration Department gave a Power Point presentation on the proposed two systems. A copy of the contents of the presentation was tabled at the meeting.

(Post-meeting note : The contents of the Power Point presentation tabled at the meeting were circulated to absent members vide LC Paper No. CB(2)581/02-03 on 6 December 2002.)

8. Mr Howard YOUNG enquired about the degree of accuracy in performing fingerprint recognition for drivers under the AVC System. Noting that fingerprint of an index finger was adopted in the existing vehicle clearance system in Huanggang while the Administration had proposed to use fingerprint of a thumb in the proposed AVC System, he asked whether due consideration had been given as to whether the use of thumb for fingerprint recognition could best meet the needs of drivers.

9. DS for S responded that the accuracy in fingerprint verification was extremely high. According to the prototype test during the feasibility study, the percentage of false acceptance was zero while false rejection was only 0.47%.

10. AD of Imm said that each Hong Kong resident would be required to register two fingerprint templates when applying for a smart identity card. Applicants would be required to register both their left and right thumbs since the fingerprint of a thumb would contain more minutiae than any other fingers. The more the minutiae taken, subsequent verification process would be easier and more accurate. The fingerprint verification system to be adopted in the smart identity card system was an internationally renowned one of very high accuracy.

11. AD of Imm supplemented that although two fingerprints were to be registered, a driver might use any of his two registered fingers to perform self-service clearance at vehicular control points. Considering that there were some left-handed drive vehicles, fingerprint scanners would be installed on both sides of AVC channels to facilitate drivers of these vehicles to undergo the automated clearance process.

12. Mrs Selina CHOW questioned how the proportion of some 500 manned immigration counters and 260 unmanned APC channels was arrived. Given that the number of residents with smart identity card would in future be much greater than those without, she expressed worry that the provision of only some 260 APC channels might not be able to fully meet the needs of self-service clearance over time.

13. AD of Imm said that there were at present 678 immigration counters at various control points to be manned by immigration control officers (ICO). As it was expected that two existing counters would be converted into three APC channels after the implementation of the APC System, the total number of counters/channels would be increased to 763 in which 259 would be unmanned APC channels. This proportion had been worked out based on the actual tourist flow in 2001, the anticipated handling capacity of the proposed APC System and the need for using conventional manned counters. Those who needed to use manned counters included visitors who did not have

Action

smart identity cards, the elderly who might be unable to cope with the use of unmanned APC counters and children under 11 whose smart identity cards did not have any fingerprint templates. In view of the above, the Administration considered the proportion appropriate as it would allow greater flexibility to cope with unforeseeable circumstances, such as an upsurge in the number of visitors.

14. DS for S pointed out that at present, the 678 immigration counters were not always in full operation due to staffing constraint, but future unmanned APC channels would be available for use at all times while the control points were in operation. Coupled with the faster clearance process by using APC channels, the actual increase in the overall passenger throughput should be far greater than the actual number of increase of counters. Nevertheless, he said that the Administration would not rule out the possibility of future adjustment to the proportion of manned and unmanned counters if situation warranted.

15. Mrs Selina CHOW questioned why it would take such a long time to implement the APC System and AVC System. AD of Imm responded that as both systems would require the use of smart identity cards, their implementation would need to tie in with the smart identity card replacement exercise. According to the timetable for the replacement exercise, approximately 1.5 million of the population would have been issued with smart identity cards in 2004 and another one million in 2005, with scheduled full completion in 2006-07. The Administration considered it appropriate to implement the APC System and AVC System on a phased approach broadly following the timetable for the smart identity card replacement exercise.

16. Noting that an ICO might initially supervise up to five APC channels, Mr IP Kwok-him asked how organised trespassing by a group of, say, five to six people, through APC channels could be managed by only one officer. He also enquired about the possibility of two passengers passing through an APC channel at the same time where only the preceding one had undergone the necessary clearance process. In addition, he expressed concern as to whether an ICO supervising five channels would be able to render adequate assistance to passengers in cases of problems in any of these channels.

17. DS for S said that the consultant, when carrying out the feasibility study on the two proposed automated systems, had already taken due regard to possible situations where more staffing support would be required. Therefore, scenarios similar to that cited by Mr IP Kwok-him had also been fully considered when determining the appropriate number of APC channels to be supervised by an ICO.

18. AD of Imm said that measures had been devised to cope with possible contingencies, such as slip-through. The proposed arrangement had been worked out based on the understanding that an ICO would be able to ensure the proper use of five APC channels and provide necessary support to passengers in need who used these channels. The effective use of manpower resources had also been one of the factors to be considered in working out the arrangement. He assured members that other ICOs on duty nearby or supervisory officers in the back office would also render assistance to individual ICOs supervising APC channels as and when necessary.

Action

19. AD of Imm added that the Administration would ensure that the design of the gates for APC channels should be able to effectively deter slip-through and tail-gating. The preliminary idea of the Administration in this respect included the installation of front and rear gates, or even three gates, for each APC channel. The tender for the APC System would require the design of the APC channels and the Administration would pay particular attention to ensure that its design could offer the maximum security as well as convenience to passengers.

20. Mr James TO learned from two university professors that the vehicular throughput at Lok Ma Chau Control Point might be greatly increased if the existing parallel lanes there could be re-arranged to diagonal ones. DS for S pointed out that there might be little room for changing the existing design in Lok Ma Chau Control Point due to its physical constraints. However, the Administration would be happy to approach the two professors to obtain their views and examine the feasibility of their proposal.

(Post-meeting note : Representatives of ImmD had met with the professor concerned and obtained the feedback that under the existing arrangement, when a vehicle or passenger had encountered any hiccup during the clearance process, those following the queue would be unnecessarily held up. If a serpentine queuing model serving multiple lanes together with clear directory signage could be introduced, such a problem could be resolved. Representatives of ImmD explained that similar arrangements had been introduced in some control points where physical layout so permitted. However, due to the geographical constraints of certain control points, like Lo Wu and the vehicular crossing points, the one-queue-multiple-lane approach might not be effective in enhancing throughput. The consultant conducting the feasibility study on the APC/AVC Systems had also considered the serpentine model and reached a similar conclusion.)

IV. Measures to combat terrorist activities in Hong Kong

(LC Paper No. CB(2)520/02-03(04))

21. Secretary for Security (S for S) briefed members on the measures taken by the Government to combat terrorism and terrorist financing as detailed in the Administration's paper.

22. In view of the series of terrorist attacks in many places after the 11 September 2001 attacks in the United States (US) and the fact that some recent attacks had been targeted at places which were popular for American tourists, Mr CHEUNG Man-kwong asked about the basis for the Administration's conclusion that the risk of Hong Kong becoming a target of terrorist attacks was low. Given that terrorism might not necessarily relate to particular religions or countries, terrorist attack might indeed happen in any country. Therefore, he considered that the Administration should not underestimate the risk of Hong Kong being attacked by terrorists. The implementation of anti-terrorism measures in Hong Kong should not merely be regarded as fulfilling an international obligation.

Action

23. S for S shared Mr CHEUNG Man-kwong's view that terrorism might not necessarily relate to religions or countries. She said that the United Nations (Anti-Terrorism Measures) Ordinance already provided a clear definition of "terrorist act". Despite the assessment that the risk of Hong Kong becoming a target of terrorist attacks was low, the Administration would not be lax in enhancing cooperation with the international community to combat terrorism and terrorist financing. Intelligence exchange with overseas counterparts would be strengthened with a view to maintaining Hong Kong as one of the safest cities in the world. The "low-risk" assessment had been made on the following grounds -

- (a) the political and social environment of Hong Kong did not have any connection to terrorists or terrorist activities;
- (b) there was no known terrorist infrastructure or terrorist support base in Hong Kong; and
- (c) the Police was internationally renowned as a highly efficient and capable force in maintaining the safety of Hong Kong.

24. On behalf of Mr James TO, Mr CHEUNG Man-kwong enquired about the capability of the Government in coping with bio-chemical attacks. S for S said that the Government had contingency plans in hand to deal with nuclear and bio-chemical attacks. In fact, emergency plans to handle possible accidents caused by the Daya Bay Nuclear Power Plant were already in place for a long time. In early 2002, the Government had conducted a drill involving a number of relevant Government departments as well as the Hospital Authority to try out the procedures for handling bio-chemical attacks. Necessary equipment for handling these attacks had also been procured by the Fire Services Department.

25. Ms Margaret NG said that during the discussion of the United Nations (Anti-Terrorism Measures) Bill, there were still a number of outstanding issues which the Administration had undertaken to give priority consideration after the passage of the Bill. She asked about the progress of the Administration's work in this regard. She recalled that the outstanding issues included the need for a provision for compensation in cases the Government had wrongly specified a person as a terrorist or terrorist associate as well as the proposal under clause 9 of the Bill, etc.

26. Principal Assistant Secretary for Security (A) said that the preparation work for the stage two anti-terrorism legislative exercise was underway. The Administration would consult members on related proposals in the United Nations (Anti-Terrorism Measures) (Amendment) Bill at the Panel meeting in mid-January 2003. The Bill would include the proposed implementation of other international conventions against terrorism such as the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation.

Action

27. In response to Ms Margaret NG's further enquiry, S for S confirmed that all the issues which were outstanding from the stage one anti-terrorism legislation exercise, i.e. the enactment of the United Nations (Anti-Terrorism Measures) Ordinance in July 2002, would be dealt with under the stage two exercise referred to in paragraph 26 above.

28. Mr Ambrose LAU asked whether the Administration had, apart from the financial sector, cooperated with other sectors in working out necessary measures to combat terrorism and terrorist financing.

29. S for S pointed out that indeed all sectors had the obligation to report suspicious supply or collection of funds for terrorists or terrorist associates. The US Government had put in place a container safety initiative in a bid to prevent terrorist attacks by using containers. The Customs and Excise Department in Hong Kong had in principle reached an agreement with the US Government that cooperation between the two parties over container safety issues would be enhanced. The transport sector had also been involved in this respect.

30. The Chairman enquired about the number of suspicious transaction reports received between September 2001 and July 2002. Director of Operations, Hong Kong Police Force replied that the number of suspicious transactions reported in 2000, 2001 and the first ten months in 2002 were 6 104, 6 484 and 8 942 respectively. He said that these figures included suspicious transactions in all areas. All those cases that had been examined were found to have no connection with terrorist financing.

31. The Chairman further enquired about the details of the self-assessment of Hong Kong reported at the Plenary meeting held in Paris in June 2002 between members of the Financial Action Task Force on Money Laundering (FATF).

32. Commissioner for Narcotics said that the Administration had completed the preliminary self-assessment work and submitted a report to FATF in June 2002. She informed members that the Administration had fully complied with three of the eight FATF's Special Recommendations as set out in paragraph 8(b), (d) and (f) of the Administration's paper. Partial compliance had been achieved for four of the eight recommendations in paragraph 8(a), (c), (e) and (g) of the same paper. As regards the recommendation in paragraph 8(h) of the paper, she said that the assessment approach had yet to be agreed by FATF, therefore no assessment in this respect had so far been made by the members concerned.

Action

V. Any other business

33. There being no other business, the meeting ended at 3:55 pm.

Council Business Division 2
Legislative Council Secretariat
9 January 2003