

**立法會**  
**Legislative Council**

Ref : CB2/PL/SE/1

LC Paper No. CB(2)1939/02-03

(These minutes have been  
seen by the Administration)

**Panel on Security**

**Minutes of meeting held on Thursday, 10 April 2003  
at 2:30 pm in Conference Room A of the Legislative Council Building**

**Members present** : Hon LAU Kong-wah (Chairman)  
Hon Albert HO Chun-yan  
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 attending** : Dr Hon David CHU Yu-lin, JP  
Hon Cyd HO Sau-lan  
Hon Henry WU King-cheong, BBS, JP

**Members absent** : Hon James TO Kun-sun (Deputy Chairman)  
Dr Hon LUI Ming-wah, JP  
Hon Michael MAK Kwok-fung

**Public Officers attending** : **Item IV**

Mr Michael WONG  
Deputy Secretary for Security

Ms Winnie WONG  
(Acting) Principal Assistant Secretary for Security

Mr Edmond LAU  
Principal Assistant Secretary for the Treasury

Action

Mr Simon PEH  
Assistant Director, Immigration Department

Mr Thomas WU  
Assistant Secretary for Security

Mr Y K CHOI  
Executive Director, Hong Kong Monetary Authority

Ms Tina SO  
Director, Securities and Futures Commission

**Item V**

Mrs Clarie LO  
Commissioner for Narcotics, Security Bureau

Mr Charles WONG  
Principal Assistant Secretary (Narcotics)  
Security Bureau

Dr Cindy LAI  
Assistant Director (Special Health Services)  
Department of Health

Mr CHEUNG Hing-wah  
Assistant Director (Youth & Corrections)  
Social Welfare Department

Mr Kenny IP  
Chief Superintendent of Police (Narcotics Bureau)  
Hong Kong Police Force

Mr YU Koon-hing  
Senior Superintendent (Customs Drug Investigation Bureau),  
Customs & Excise Department

Mrs LAI NG Man-yee  
Senior Specialist (Educational Psychology/Student Discipline),  
Education & Manpower Bureau

Ms Cecilia CHAN  
Senior Statistian (Security), Security Bureau

**Item VI**

Mr Ambrose LEE  
Commissioner  
Independent Commission Against Corruption

Mr Daniel LI  
Head of Operations  
Independent Commission Against Corruption

Mrs Betty CHU  
Assistant Director/Administration  
Independent Commission Against Corruption

Mrs Marigold LAU  
Project Director 2, Architectural Services Department

Mr MOK Kam-kwan  
Deputy Government Property Administrator

**Clerk in attendance** : Ms Doris CHAN  
Chief Assistant Secretary (2) 4

**Staff in attendance** : Mr Stanley MA  
Senior Assistant Secretary (2) 6

---

**I. Confirmation of minutes of previous meeting**  
(LC Paper No. CB(2)1693/02-03)

The minutes of the meeting held on 6 March 2003 were confirmed.

**II. Information paper issued since the last meeting**  
(LC Paper No. CB(2)1709/02-03(01))

2. Members noted the Administration's paper on guidelines and procedures for disposal of computers in use by the Police. Members agreed to include the item on the Panel's list of outstanding items for discussion at a future meeting.

Action

**III. Date of next meeting and items for discussion**

(LC Paper Nos. CB(2)1681/02-03(01) and (02))

3. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 6 May 2003 at 2:30 pm –

- (a) Installation of air-conditioning system at Lo Wu Footbridge;
- (b) Construction of boundary crossing facilities at Shekou for the Shenzhen Western Corridor; and
- (c) Marine Police Outer Waters District Headquarters and Marine Police North Division at Ma Liu Shui, Sha Tin.

**IV. Immigration policy on capital investment entrant**

(Legislative Council Brief - File Ref : SBCR 1/10/2091/99)

4. At the invitation of the Chairman, Deputy Secretary for Security (DSS) briefed members on the main points of the proposed immigration policy to facilitate entry for residence by "capital investment entrants" as detailed in the Legislative Council Brief on the subject.

5. The Chairman asked whether the Administration had made an estimate of the potential inflow of capital of the proposed policy and how the policy differed from the existing immigration policy which was mainly targeted at start-up entrepreneurs whose investments were less capital-intensive but who might bring in new management expertise.

6. DSS responded that the number of capital investment entrants and the capital they would bring in would be subject to market forces. The Administration had not made an estimate of the potential inflow of capital under the proposed Scheme on capital investment entrant (the Scheme) at this stage. He pointed out that the threshold of \$6.5 million for admission into Hong Kong as capital investment entrants would be subject to review and adjustment in the light of the market response. He also explained that the existing immigration policy aimed to facilitate the entry of investors who wished to set up or join in a business in Hong Kong. According to an earlier survey on successful applications approved in 2002, a total of 312 applicants were approved and about 74% of these applicants made an investment which was less than \$0.5 million.

7. Mrs Selina CHOW asked whether the Immigration Department had the necessary expertise and manpower to oversee and implement the proposed Scheme as it involved complicated financial transactions which should preferably be supervised by experienced professionals in the field.

Action

8. DSS responded that apart from the Security Bureau and the Immigration Department, the Financial Services and the Treasury Bureau, the Hong Kong Monetary Authority and the Securities and Futures Commission had actively participated in the formulation and development of the proposed policy. The Immigration Department would coordinate efforts for implementation of the Scheme and absorb the workload from within its existing resources at the initial stage of the Scheme. He pointed out that the Administration would impose portfolio maintenance and “ring-fencing” requirements which aimed at ensuring that an entrant did not reduce his initial investment commitment during the time when he was permitted to stay in Hong Kong under the Scheme. The Administration would prepare the list of qualifying investments under the Scheme with an objective to attract new capital into Hong Kong and to ensure that these investments were “ring-fenced”.

9. Mrs Selina CHOW asked how the threshold of \$6.5 million would be assessed given that the value of a financial asset would rise and fall in a free market.

10. DSS responded that a capital investment entrant could invest within six months before submission of his application to the Director of Immigration (the Director) or within six months after the granting of approval in principle by the Director, not less than \$6.5 million in permissible investment assets. The initial transaction values for the purchase of these assets would be taken for the calculation of the threshold of \$6.5 million. The entrant would not be required to top up the value of his investment in case its market value fell below the threshold of \$6.5 million or even in the event of a total loss. By the same token, he was not allowed to withdraw any capital gain from his portfolio even if its subsequent market value rose above the requisite level. With the exception of the investment in excess of the threshold and the withdrawal of cash dividend, interest income or rental income derived from permissible investment assets in the qualifying portfolio, the entrant should not take out any cash or investment from the designated account if he wished to stay eligible under the Scheme. In other words, the investment that qualified the capital investment entrant’s entry and continued stay in Hong Kong would be “ring-fenced”.

11. Mrs Selina CHOW asked how the Administration would enforce the portfolio maintenance and “ring-fencing” requirements, given that a capital investment entrant might re-invest or switch his investment from financial asset to permissible real estate and vice versa.

12. DSS replied that a capital investment entrant would be allowed to invest in either real estate or financial assets or both. The Immigration Department would be responsible for the monitoring of real estate transactions which were not expected to be frequent as the entrant needed to bear significant transaction costs such as stamp duty. As regards monitoring of financial assets and re-investments, a capital investment entrant wishing to invest in permissible financial assets had to make the investment in the financial asset through a designated account operated by a single financial intermediary which must be an authorized institution as defined in the Banking Ordinance or a licensed investment advisers or securities dealer for the purpose of the

Action

Securities and Futures Ordinance. The entrant should, among others, ensure that his appointed financial intermediary would notify the Director within seven working days if there was any withdrawal of asset or cash from the designated investment account. In brief, the entrant would have to abide by the “ring-fencing” arrangements as detailed in paragraph 13 of the paper. The Administration had taken into account views of the relevant parties in setting up a monitoring mechanism to prevent abuse of the Scheme.

13. Mr CHEUNG Man-kwong asked whether children who were financially supported by a capital investment entrant and spouse of an entrant who was financially independent were included in the definition of dependants under the eligibility criteria for capital investment entrants.

14. DSS replied that under the prevailing policy, capital investment entrant might bring his spouse, unmarried dependent children below the age of 21 and parents over 50. He added that the Administration was reviewing the policy on dependants and would revert to the Panel in due course. He also added that a spouse who was a dependant of a capital investment entrant might also apply separately under the Scheme in order to bring his/her parents to Hong Kong as dependants upon successful applications. Responding to Mr CHEUNG Man-kwong’s further enquiry, DSS said that subject to other requirements, children lawfully adopted by a capital investment entrant would be recognised as dependants.

15. Mr IP Kwok-him asked whether a maximum number of dependants was set for each capital investment entrant and whether parents of the spouse of a capital investment entrant were recognised dependants under the Scheme.

16. DSS responded that the Administration had not proposed a maximum number of dependants for each capital investment entrant. However, under the prevailing policy, parents of a dependant of a capital investment entrant were “dependants of a dependant” who were not recognised as dependants of the entrant. He added that a successful applicant under the Scheme had to satisfy the Director that he was capable of supporting and accommodating himself and his dependants without relying on the investment return, employment or public assistance.

17. Referring to paragraphs 17 and 18 of the paper, Mr IP Kwok-him asked whether the proposed periods of stay in Hong Kong under the Scheme were made with reference to similar local schemes and whether a capital investment entrant who did not fulfil the continuous ordinary residence requirement after parking his investment in Hong Kong for seven years would be granted unconditional stay and free to dispose of the assets he had invested under the Scheme in whatever way he liked. He also asked how the period of continuous ordinary residence would be calculated in such circumstances.

18. DSS responded that foreigners who were allowed to enter for employment in Hong Kong under other schemes were usually allowed to stay in Hong Kong for a year and subject to their meeting the relevant criteria would normally be granted two further extensions of two years each and then another three-year extension. Under the

Action

Scheme, a capital investment entrant would be initially allowed to enter Hong Kong as a visitor for three months and be extended for another three months if evidence of active progress in investment was shown. Subject to further evidence, permission to stay would be granted for periods of two years each. He added that the period of the extensions could be adjusted in the light of operational needs and changing circumstances.

19. DSS further said that after a period of continuous ordinary residence in Hong Kong for not less than seven years, an entrant and his dependants might apply to become permanent residents of Hong Kong in accordance with the law. If an entrant had not been able to fulfil the continuous ordinary residence requirement after parking their investment for seven years, the Administration considered it fair to recognise his contribution to the local economy and grant him an unconditional stay. After that, he would be free to dispose of the assets he had invested under the Scheme. Subject to individual circumstances, the entrant and his dependants might be eligible to apply for right of abode if they could satisfy the requirement of seven years of continuous ordinary residence in future.

20. Mr WONG Yung-kan pointed out that a capital investment entrant might by virtue of his religious belief have four spouses and many children. He asked whether such entrant could bring along all their spouses and children to Hong Kong.

Admin

21. DSS replied that considering all legitimate spouses and children as eligible dependants under the Scheme could be an option. Assistant Director, Immigration Department (AD(ID)) supplemented that successful applicants under other schemes were normally allowed to bring only one spouse to Hong Kong as a dependant. In view of this, DSS undertook to follow up the issue and provide a written response after the meeting.

22. Mr Howard YOUNG asked whether capital investment entrants and their dependants were subject to certain restrictions in finding employment in Hong Kong.

23. DSS replied that the Administration had carefully considered the issue and concluded that capital investment entrants should be allowed to be employed without any restriction. However, since they controlled a substantial amount of capital, it was not inconceivable that they might start a business in a manner that entailed the employment of other people and the creation of more jobs and business opportunities in Hong Kong.

24. Mr Albert HO considered that the exclusion of foreign nationals from countries which posed security and/or immigration risks from the Scheme might constitute discrimination against the countries concerned. He also considered that Mainland residents should be included under the Scheme if they were able to obtain approval from the relevant Mainland Authorities to do so.

25. DSS responded that the Administration might refine the wording of the exclusion clause, but pointed out that similar provisions were found in other policy

Action

areas. He pointed out that Chinese nationals who had obtained permanent resident status in a foreign country were covered by the proposed scope of application. However, since Mainland authorities exercised foreign exchange control as well as exit control on Mainland residents, the proposed scope of application would not cover Mainland residents for the time being. The Administration would liaise with the relevant authorities in the Mainland to explore the feasibility of incorporating Mainland residents into the scope of application in due course.

26. Mr Albert HO considered that compared with the requirements of similar schemes in overseas jurisdictions, the continuous ordinary residence requirement of seven years and the thresholds of \$6.5 million under the Scheme were too onerous and would affect the competitiveness of the Scheme. Mr Howard YOUNG expressed a similar view and stressed that the criteria for the Scheme should aim at promoting the competitiveness of Hong Kong in attracting foreign investments.

27. DSS responded that the seven year requirement was set in line with the requirement for permanent residence in Hong Kong as stipulated under the Basic Law. He acknowledged that there were different views on whether the Scheme's threshold should be set at \$6.5 million. The Administration after careful consideration had concluded that the threshold was in line with the general level of thresholds stipulated by various countries for the admission of investors, and would provide a proper balance between making Hong Kong attractive in the global competition for investors and the need to ensure that these investors were of an appropriate quality.

28. Mr Albert HO asked whether a capital investment entrant could apply to become a Chinese national after continuous ordinary residence in Hong Kong for not less than seven years. DSS replied that the entrant could do so if he met the relevant requirements for becoming a Chinese national as specified under the law.

29. Mrs Selina CHOW asked whether the Basic Law had stipulated that capital investment entrants could not apply for the right of abode before they had parked their investment in Hong Kong for a period of not less than seven years.

30. DSS responded that the Basic Law had specified the requirement of seven years of continuous ordinary residence in Hong Kong but not a period for capital investment to park in Hong Kong for application of the right of abode. He pointed out that different requirements were found in other jurisdictions, and compared to some overseas countries, the two permissible investment asset classes set by the Administration were attractive to prospective foreign investors. He stressed that the Administration would review the competitiveness of the Scheme and adjust the criteria in the light of actual experience.

31. Mrs Selina CHOW asked how the Immigration Department would assess the financial capability of an applicant to ensure that he was capable of supporting and accommodating himself and his dependants without relying on the investment return. AD(ID) replied that the Immigration Department would make reference to relevant statistics compiled by the Census and Statistics Department and consider the



Action

circumstances of each application in accordance with a set of objective criteria.

32. Mrs Selina CHOW asked why investments in either real estate or financial assets made within six months before the submission of an application for admission into Hong Kong as a capital investment entrant would be considered. DSS responded that applicants under the Scheme should be allowed a reasonable degree of flexibility in terms of the timing of their investment and their choice of investment assets to suit their individual needs.

33. Mrs Selina CHOW remarked that it was unnecessary to specify a six-month period before and after submission of application for an investment on real estate as a requirement under the Scheme. She considered that the Scheme should allow an applicant to decide the time for submission of an application and assessment of the values of his real estates which had been purchased more than six months.

34. Mrs Selina CHOW suggested that the Administration should consider reducing the period of “ring-fencing” requirement on both real estate and financial assets. She considered that a ring-fencing period of seven years was too long, having regard to the periods set by overseas jurisdictions such as Singapore. She requested the Administration to compare the proposed Scheme with similar schemes in overseas jurisdictions and provide a written response for members’ reference.

Adm

35. DSS responded that a prospective capital investment entrant would of course welcome a higher degree of flexibility in the ring-fencing period and the choice of investment assets. However, the Administration would have to balance the interests of the prospective entrants and the community as a whole. Given the flexibility of a range of investment options, the Administration considered it appropriate to set the “ring-fencing” period at seven years. He added that the Scheme had been endorsed by the Chief Executive and the Executive Council on 11 March 2003 and an adjustment of the “ring-fencing” period at this stage would delay the implementation of the Scheme. He reiterated that the Administration would review the criteria of the Scheme in the light of actual experience gained from the implementation of the Scheme.

36. Principal Assistant Secretary for the Treasury supplemented that the Scheme was proposed to attract new investments and create economic benefits. That was why previous investments made more than six months before applications were lodged would not be accepted under the Scheme.

37. The Chairman shared the view that to enhance the attractiveness of the Scheme, the seven-year “ring-fencing” period for both real estate and financial assets should be reduced. He urged the Administration to consider members' views and suggestions expressed at the meeting.

**V. Psychotropic substance abuse and actions taken to combat the problem**  
(LC Paper No. CB(2)1681/02-03(03))

38. At the invitation of the Chairman, Commissioner for Narcotics, Security Bureau (the Commissioner) introduced the Administration's paper on the subject.

39. Mr CHEUNG Man-kwong expressed concern about the fact that 43% of the 5 516 psychotropic substance abusers reported in 2002 were unemployed. He asked how the Administration would educate these unemployed drug abusers to refrain from indulging in the use of psychotropic substance.

40. The Commissioner responded that the most common reasons given for the abuse of psychotropic substances included peer influence (47.6%), followed by curiosity (37.3%), and seeking of euphoria or sensory satisfaction (36.1%) rather than their state of being jobless. As far as assistance to the unemployed was concerned, the Administration and the Action Committee Against Narcotics (ACAN) had provided assistance and support to non-government organizations (NGOs) in interview and job skills training to help them find employment.

41. Mr CHEUNG Man-kwong considered that assisting unemployed drug abusers to find an employment was by no means easy. He asked how the Administration, ACAN and NGOs would assist such a large number of unemployed drug abusers.

42. The Commissioner echoed that this was not an easy task. In the case of the Society for the Aid and Rehabilitation of Drug Abusers (SARDA), it would conduct counselling and programmes on job-seeking and interview skills for the unemployed drug abusers. In addition, SARDA also operated transport, cleaning and courier services to create employment opportunities for these people.

43. Mr Albert HO expressed concern that 61% of the psychotropic substance abusers below the age of 21 reported in 2002 had previous convictions. He asked about the resources allocated for and the results of the provision of aftercare services for drug addicts and prisoners released under various schemes. He expressed concern that these drug addicts and prisoners might constitute a high-risk group of psychotropic substance abusers who should be provided with comprehensive aftercare services. He pointed out that many drug users, particularly heroin users, released from the three drug addiction treatment centres (DATCs) run by the Correctional Services Department (CSD) had become more addicted to the use of drugs than before.

44. The Commissioner responded that the Government had allocated some \$732 million to various departments for implementing anti-drug work. A total of \$385 million was allocated to the provision of treatment and rehabilitation services to cater for the different needs of drug abusers with varying background. She stressed that family support was most crucial in helping rehabilitated drug abusers reintegrate into the society.

45. Assistant Director (Youth & Corrections) of the Social Welfare Department

Action

(AD)(YC)SWD supplemented that aftercare services for inmates released from DATCs or young prisoners released under various schemes were mainly provided by CSD. Within the social welfare sector, the Society of Rehabilitation and Crime Prevention, Hong Kong (SRACP) was the only NGO with subvented services contributing to the offenders programme. It provided a comprehensive range of aftercare and outreaching services for these inmates/prisoners, with emphasis on the coordination of family support, provision of accommodation and job hunting and interview techniques. He added that given the prevailing economic conditions, there were difficulties in assisting them to find employment. He also added that despite the budget constraint, an additional \$1 million had been allocated to SRACP in 2002 to reinforce aftercare and outreaching services for ex-prisoners.

Adm

46. Mr Albert HO requested the Administration to provide the number of inmates released from DATCs and prisoners released under various schemes who were below the age of 21, and the manpower shortage in the provision of aftercare and outreaching services to them. AD)(YC)SWD undertook to provide the information on the provision of voluntary aftercare and outreaching services to the discharged prisoners within the welfare sector after the meeting.

47. Referring to Annex A to the Administration's paper, Mrs Selina CHOW asked whether the number of reported heroin and psychotropic substance abusers, which had fallen from 6 022 in 2001 to 5 516 in 2002, included foreigners residing in or visiting Hong Kong. She also enquired about the progress of external cooperation with the Mainland and Macau on law enforcement against cross-border drug abuse and drug trafficking.

48. The Commissioner responded that the number of psychotropic substance abusers as shown in Annex A included non-local abusers in Hong Kong. She explained that at present, information on drug abuse cases was collated by the Central Registry of Drug Abuse (CRDA) established in 1972 which received drug abuse reports from 34 reporting agencies including the Police, Custom and Excise Department (CED), Department of Health (DH), Social Welfare Department (SWD) and NGOs. CRDA would conduct analysis on the report data and compile quarterly statistics which would be distributed to ACAN, relevant Government departments and the 34 reporting agencies for information.

49. On external cooperation, the Commissioner said that in view of the rapid increase in the inflow and outflow of human and cargo traffic in the Pearl River Delta, continued emphasis would be placed on enhancing cross-boundary cooperation on tackling drug related crimes and problems. The Task Force on Psychotropic Substance Abuse (the Task Force) comprising a cross-sectoral membership of experts from various fields including voluntary agencies, professional bodies and Government departments was set up in early 2000 to map out a comprehensive strategy to tackle the problem of psychotropic substance abuse. One of the Task Force's recommendations was to enhance cooperation within the region. In this connection, following the successful inaugural conference convened by Hong Kong in November 2001, cooperation between Guangdong, Macau and Hong Kong on countering cross-

Action

boundary drug abuse and trafficking had been further strengthened and enhanced through the second tripartite conference held in Zhongshan, Guangdong on 20 and 21 February this year.

50. Mrs Selina CHOW asked whether Shenzhen was included in the tripartite conference on countering drug abuse and trafficking. The Commissioner replied that the relevant authorities in Shenzhen and other cities in Guangdong had also attended the second tripartite conference held in Zhongshan, Guangdong. On the law enforcement front, the Police had maintained direct liaison with the Bureau of Narcotics Control in Beijing, the Guangdong Provincial Public Security Bureau, the Shenzhen Municipal Public Security Bureau and the Macau Judiciary Police to facilitate intelligence exchanges, joint enforcement operations, regular and ad hoc meetings as well as experience-sharing seminars.

51. Mrs Selina CHOW asked how the legislative amendments made in December 2000 and October 2001 respectively to put ketamine and gamma-hydroxybutyric acid under the Dangerous Drugs Ordinance had helped contain the spread of the abuse of the two substances locally. Noting that ketamine remained the most commonly abused psychotropic substance and continued to top the list in 2002 (abuse by 16.8% of the abusers), she asked about the enforcement actions taken to curb the supply of ketamine and whether court sentence on convicted criminals were sufficient to create a deterrent effect.

52. The Commissioner replied that both the Police and CED had stepped up enforcement actions to counter cross-boundary drug crimes. In response to the concerns of Hong Kong, the Mainland and Macau authorities had amended their laws to strengthen control on ketamine in 2001 in an effort to combat the rising trend of cross-boundary consumption of psychotropic substances. In addition, the Administration had reinforced anti-drug preventive education and publicity programmes on the harmful and addictive effects of psychotropic substance abuse. In particular, publicity materials such as posters and notices were posted at the cross-border control points to remind the public of the grave consequences of cross-boundary drug abuse. The reasons for the increase in number of ketamine abusers could probably be attributed to the fact that it was cheaper in price and could be used without the need of a conducive environment. However, it should be noted that the total number of psychotropic substance abusers and abusers of most other psychotropic substances had actually declined in 2002.

53. Chief Superintendent of Police (Narcotics Bureau) (CSP(NB)) supplemented that the Police had strived to consolidate the progress made in tackling psychotropic substance trafficking by disrupting supplies to Hong Kong. He cited two joint enforcement operations in 2002 with the Mainland Authorities which resulted in the seizure of over 1,788 kilogram of ketamine in China. However, given the high profits from sales of ketamine, it was difficult to eradicate such supply. He added that education on its harmful effects should be the long term solution to psychotropic substance abuse by young persons. CSP(NB) also cited two imprisonment sentences of 28 years, and 20 years and seven months respectively in 2002 to illustrate that the

Action

Court had imposed heavy penalties against convicted criminals in trafficking ketamine.

54. Referring to the “2000 Survey of Drug Use among Students” (the Survey) as mentioned in paragraph 6.3.21 of the report of the Task Force, Mr CHEUNG Man-kwong asked about the number of students covered by the Survey and the number of students represented by 4.1% of the students covered by the Survey.

55. Senior Statistian (Security), Security Bureau explained that the Administration had commissioned the Chinese University of Hong Kong to conduct the Survey on ordinary secondary day schools, international schools and full-time and part-time day release students of the Hong Kong Institute of Vocational Education. The Survey was conducted in the form of anonymous questionnaire which was completed and returned by students in schools. The Survey covered some 98 000 students and revealed that among the 4.1% respondents who had ever used psychotropic substances in their lifetime, 14.8% of them cited “entertainment venues and/or private places in the Mainland” as one of the areas of taking such substances.

56. Mr CHEUNG Man-kwong considered the findings of the Survey reliable as it covered some 98 000 subjects but appalling as it revealed that some 15 000 secondary students had used psychotropic substances at least once in their lifetime and some 2 500 students had purchased these substances in the Mainland. Given that schools were unable to supervise their students after school hours, Mr CHEUNG urged the Administration to publicize the situation to parents and the community by way of anti-drug television and radio series. He added that since students holding a valid return permit could visit Shenzhen and return to Hong Kong within hours, parents should play a more proactive role in observing and monitoring of students’ leisure activities after school hours. Mr CHEUNG asked how the Administration would tackle the situation.

57. The Commissioner responded that while an overall average of 4.1% of students had ever used psychotropic substances, students in certain types of schools were identified by the Survey as having a more serious problem of drug abuse. To address the situation, the Administration had reinforced anti-drug preventive education in these types of schools such as anti-drug education talks to help students understand the harmful and addictive effects of psychotropic substance abuse. Students’ parents were also approached through the school as and when appropriate. The departments and NGOs concerned would collaborate with each other in providing timely and appropriate assistance to youth-at-risk in these schools.

58. Mr CHEUNG Man-kwong remarked that in addition to programmes advising students on life-skill training and refusal skills, publicity programmes on cross-border drug abuses of students should be produced to alert parents who were more capable than schools to observe their children's activities outside school hours. In view of the seriousness of the matter, he requested the Administration to provide updated information on drug abuses of secondary school students and efforts on parent education and publicity to rectify the situation.

59. The Commissioner agreed that parents should also be a prime target for drug

Action

prevention talks. It was noted that some parents were not keen to participate in activities on prevention of psychotropic substance abuse nor did they show much concern about their kids' behaviour. Notwithstanding this, the Narcotics Division had organized a series of anti-drug education talks at workplaces and cooperated with the public media on delivery of preventive education and publicity programmes. Anti-drug television and radio series, including dramas with real life examples, had been produced under the sponsorship of the Beat Drugs Fund to promote anti-drug awareness among parents and the community as a whole. In addition, SWD provided funding support for NGOs to provide various services including the Integrated Children and Youth Services Centres and District Youth Outreaching Social Work Teams to young people vulnerable to drug abuse. She undertook to consider updating the information on the use of psychotropic substances by secondary school students, and provide information on the Administration's efforts on parent education and publicity programme on the issue.

Adm

60. The Chairman suggested that the Radio Television Hong Kong (RTHK) should produce more educational and publicity programmes on the harmful effects of drug abuses based on real life cases.

61. The Commissioner responded that most anti-drug television programmes produced by RTHK were based on real life cases which had proven to be more effective in bringing across anti-drug message to the younger generation.

62. The Chairman asked about the results of CED's enforcement actions on prevention of cross boundary drug trafficking in the past year and the effects of the 24-hour operation of cross-border control points on cross boundary drug abuse and drug trafficking.

63. Senior Superintendent (Customs Drug Investigation Bureau) responded that CED had adopted a proactive strategy to strengthen its intelligence units as well as drug detector capabilities and upgrade inspection facilities to counter cross boundary drug crimes. In particular, it had acquired two sets of high-tech X-ray vehicle scanning system to enhance the enforcement capability in detection of illicit dangerous drugs across the boundary. In fact, the staff establishment of the Lo Wu control point and the Lok Ma Chau control point had increased by 31 and 62 respectively to cope with the increased cross-boundary traffic and 24-hour operation. In 2002, the four land boundary control points had detected 207 cases of drug trafficking and 214 suspects were arrested, of whom 12 were below the age of 21. As regards the quantities of drugs which had been detected, a total of 38.9 and 49.2 kilogram of various drugs and 40 874 and 42 951 drug tablets were recorded in 2002 and 2001 respectively.

64. Mr Albert HO asked whether the Police could prosecute a person who was found to have taken psychotropic substances and whether the Police would inform his parents or family members if he was below the age of 16. He also asked how young persons below the age of 16 arrested for sale of psychotropic substances would be prosecuted.

Action

65. CSP(NB) responded that the Police would not normally prosecute a person when he had consumed drugs with no drugs found in his possession. In appropriate cases, the Police would send the person to the accident and emergency department of a public hospital for necessary treatment. If the person was below the age of 16, the Police would notify his parents or family members. He undertook to provide a written response on whether and how a young person below the age of 16 involved in drug offences would be prosecuted.

Adm

66. Mr Albert HO considered it inappropriate for the Housing Department to terminate the respective tenancy of a public rental flat in which a household member was found in possession of heroin, even though the member was below the age of 16. CSP(NB) undertook to relay Mr HO's concern to the Housing Department for consideration.

## **VI. ICAC Headquarters Building, North Point** (LC Paper No. CB(2)1681/02-03(04))

67. At the invitation of the Chairman, Commissioner, Independent Commission Against Corruption (Commissioner, ICAC) briefed members on the main points of the Administration's paper on the subject.

68. Mr Howard YOUNG said that the proposal to construct a purpose-built headquarters building for the Independent Commission Against Corruption (ICAC) was worthy of support. He sought clarifications about the large difference between the estimated construction floor area of about 54 000 square metre of the future headquarters in paragraph 2 and the proposed total area of 23 510.9 square metre in the schedule of accommodation in Enclosure 2 of the paper.

69. Project Director 2, Architectural Services Department (PD2(ASD)) replied that the proposed areas for all items under the schedule of accommodation were quoted in terms of Net Operational Floor Area (NOFA) which described the floor area actually allocated to the users for carrying out the intended activities. She explained that NOFA did not include areas for toilets, bathrooms and showers, lift lobbies, stair halls, public/shared corridors, stairwells, escalators and lift shafts, etc. as described in the Enclosure. In terms of Gross Floor Area as used in the private sector, the area provided would be about 39 200 square metres, representing more than 70% of the estimated construction floor area.

70. Mr Howard YOUNG further asked about the reason for the substantial difference between the existing and proposed areas of the canteen and kitchen as shown in the schedule of accommodation.

71. Deputy Government Property Administrator (DGPA) explained that the proposed area for the canteen was calculated on the basis of 1.5 square metre for each staff member. Due to space constraint in the existing building, the existing area for

Action

the kitchen and store was not provided in accordance with the standard accommodation requirement. The proposed area for the new kitchen was in line with the existing accommodation requirement.

72. Mrs Selina CHOW expressed support for the construction of a purpose-built headquarters building for ICAC. She asked whether the capital cost of the project which was in the region of \$790 million at September 2002 prices would be adjusted in line with the prevailing cost indexes for similar construction.

73. PD2(ASD) responded that the capital cost of the project would be adjusted downward by around \$50 million, which would be reflected in the final submission to the Public Works Sub-Committee.

74. Mrs Selina CHOW asked why the areas for the existing theatre with only 120 seats and the proposed multi-purpose theatre with 200 seats were the same, i.e. 200 square metre.

75. Commissioner, ICAC explained that the smaller capacity of the existing theatre was due to the physical limitations of the existing Murray Road Carpark Building which was built in 1973 and originally designed as a public carpark building.

76. Mr Henry WU expressed support for the construction of a purpose-built headquarters building for ICAC. He enquired about the justifications for the requirements of a total of 30 video interview rooms and an indoor shooting range of around 750 square metre in area. Noting that the site for the existing training school in Tuen Mun would have to be vacated in 2004 for redevelopment purpose, he asked about the transitional arrangements before the new building was available for occupation in February 2007.

77. Head of Operations, ICAC responded that the existing 23 video interview rooms had a 100% utilization rate and complaints had been received on the long waiting time for use of these rooms. He explained that ICAC had a statutory duty to carry arms and ammunition in the discharge of its duties as required under the Witness Protection Ordinance. To facilitate professional and effective discharge of these statutory duties and for the personal safety of ICAC armed officers and the witnesses under their protection, it was imperative that sufficient firearms and tactical training should be provided to each of the 400 frontline officers in the long term. He added that the temporary operational and physical training facilities in a former SWD Boys' Home in Tuen Mun would have to be vacated by the end of 2003.

78. Commissioner, ICAC added that GPA was exploring the availability of other temporary sites for operational and physical training for ICAC staff. DGPA supplemented that there should be vacated former barrack sites available for use as temporary training schools for ICAC during the transitional period.

79. Mr CHEUNG Man-kwong asked whether the Administration could expedite the completion of the construction of the project. PD2(ASD) responded that the



Action

construction schedule was set in accordance with the requirements of World Trade Organisation. The Administration planned to start construction in July 2004 for completion in February 2007. It was unlikely that construction of the project could be completed earlier, although a contingency period of four months was allowed for some unexpected delay in construction works.

80. Mr CHEUNG Man-kwong said that the Democratic Party highly valued the role and deputation of ICAC and supported its proposal to construct a headquarters building.

81. In reply to Mr CHEUNG Man-kwong's question, Commissioner, ICAC explained that the function of barrack rooms was to provide a place for staff to take short breaks after long hours of work. Such provision was normally available for disciplined force providing a 24-hour service. He pointed out that each police station had barrack rooms for staff members to take short breaks.

82. Miss Margaret NG declared interest as a member of the Operations Review Committee of ICAC. She expressed support for the construction of a headquarters building for ICAC.

83. In concluding the discussion, the Chairman said that members in general supported the proposal.

**VII. Any other business**

84. There being no other business, the meeting ended at 4:45 pm.