

**Panel on Security**

**List of outstanding items for discussion**

(position as at 9 January 2004)

**Proposed timing  
for discussion**

**Items proposed by members**

**1. Hong Kong Special Administrative Region Identity Card Project**

At the special meeting on 14 February 2001, the Administration undertook to report the progress of the Hong Kong Special Administrative Region Identity Card Project to the Panel on a regular basis. The Administration briefed members on the results of the second Privacy Impact Assessment study and the latest developments on non-immigration applications for incorporation into the smart identity card at the meeting on 10 July 2002. The Bills Committee on Registration of Persons (Amendment) Bill 2001 and other interested Members visited the Immigration Department on 8 March 2003 to view a demonstration on the new work process of the Smart Identity Card System.

To be confirmed

In the course of deliberations of the Registration of Persons (Amendment) Bill 2001, the Administration undertook -

- (a) to brief the Panel on Security on the progress of the implementation of the System before the Commissioner of Registration specifies the date on which the System comes into operation;

(Note : A demonstration to Members in a live production environment was conducted on 17 June 2003.)

- (b) to draw up a code of practice in consultation with the Privacy Commissioner setting out the rules on the collection, use of and access to smart ID card data and the conduct of privacy compliance audit;

**Proposed timing  
for discussion**

(Note : Director of Immigration is going to appoint a consultant in early 2004 to conduct the fourth Privacy Impact Assessment, the outcome of which will assist in the compilation of a code of practice.)

- (c) to provide a copy of the privacy compliance audit report to LegCo after the audit is completed;
- (d) to brief the relevant Panels before introducing subsidiary legislation providing for the incorporation of new non-registration of persons related applications in the chip of a smart ID card; and
- (e) to launch publicity programmes through overseas Economic and Trade Offices to notify overseas HKSAR permanent residents of the ID card replacement exercise and the requirement to apply for a new card within 30 days of their return to Hong Kong.

(Note : The Administration has advised that relevant publicity including placing advertisements in newspapers, distributing leaflets and displaying posters, has been launched since August 2003 with the assistance of Hong Kong Economic and Trade Offices overseas.)

The Registration of Persons (Amendment) Bill 2001 was passed by the Legislative Council on 19 March 2003 and commenced operation on 12 May 2003. The Administration's progress report on the Project and the final report on the third Privacy Impact Assessment had been circulated to members vide LC Paper Nos. CB(2)905/03-04 and CB(2)917/03-04 on 8 January 2004.

**Proposed timing  
for discussion**

The Secretary for Security had issued Orders under the Registration of Persons Ordinance to direct certain persons to apply for new identity cards. A subcommittee formed to examine such Orders had concluded its work and made a report to the House Committee on 27 June 2003. The Orders commenced operation on 10 July 2003 and the territory-wide replacement exercise had started on 18 August 2003. To prepare for the second cycle of the replacement exercise, the Secretary for Security had issued another Order. It was gazetted on 12 December 2003. Subject to negative vetting, the Order, which invites persons born in 1958 to 1963 to apply for new identity cards, will commence operation on 5 February 2004.

**2. Follow-up on issues arising from the incident on 25 April 2002 where Police took action to stop the public meeting being staged in Chater Garden and media reporters were handcuffed**

Issues relating to the incident on 25 April 2002 where Police took action to stop the public meeting being staged in Chater Garden and media reporters were handcuffed was discussed at the Panel meeting on 10 May 2002. Members agreed that the matter be further discussed when the Administration's responses to issues raised by members at the meeting on 10 May 2002 (issued vide LC Paper No. CB(2)2414/01-02 on 25 June 2002) and to questions drawn up by the Legal Adviser were received.

To be confirmed

The Administration has advised that the criminal trial of persons arrested and charged in connection with the incident which occurred at the carpark of the Legislative Council Building on 24 April 2002 was concluded on 6 November 2002. Two of the five persons charged were convicted and they have not appealed against the conviction and/or sentence.

**Proposed timing  
for discussion**

A list of proposed questions for a response by the Administration drawn up by the Legal Adviser has been circulated to members for comments (Appendix I to LC Paper No. CB(2)504/02-03 issued on 2 December 2002). To assist the Panel in considering the questions, the Legal Adviser has also drawn up a table showing the questions raised/information sought at the special meeting on 10 May 2002 together with the Administration's responses (Appendix II to LC Paper No. CB(2)504/02-03 issued on 2 December 2002).

With the agreement of members, the list of proposed questions was forwarded to the Administration on 6 December 2002. The Administration's reply to the questions was circulated to members vide LC Paper No. CB(2)800/02-03 on 3 January 2003.

The subject of protection of press freedom and the Police's guidelines on media coverage was discussed at the meeting of the Panel on Home Affairs (HA Panel) on 17 July 2002. At HA Panel's request, the Administration provided a paper on the results of its discussion with representatives of the media about the Police's guidelines on the setting up of Designated Press Areas between July and December 2002. The paper was circulated to members of the Panel on Security vide LC Paper No. CB(2)578/03-04 on 8 December 2003.

**3. Commencement of the Fire Safety (Buildings) Bill**

In the course of examination of the commencement clause of the Fire Safety (Buildings) Bill, the Bills Committee considered that the Bill should not come into operation before the amendments to the Building Management Ordinance to empower owners' corporations to borrow from the Building Safety Loan Scheme had been enacted. The Administration would, when time was ripe and circumstances permit, prepare a paper setting out its views and proposal for bringing the Bill into force for discussion by the Panel. The Administration undertook not to bring the Bill into operation without first obtaining the support of a great majority of members of the Panel.

To be confirmed

**Proposed timing  
for discussion**

**4. Guidelines in the Force Procedures Manual on the seizure of property**

In the course of deliberation concerning the time for the return of seized property, the Bills Committee on Karaoke Establishments Bill made reference to the general guidelines in the Force Procedures Manual. A member of the Bills Committee took the view that the guidelines in the Force Procedures Manual should set out more information such as whether the seizure was absolutely necessary, the quantity of items which should be seized and whether quantity seized would have a punitive effect. The Bills Committee agreed that the matter should be referred to the Panel for follow-up.

To be confirmed

**5. Law Reform Commission Report on "The Regulation of Debt Collection Practices"**

The Law Reform Commission issued a report on "The Regulation of Debt Collection Practices" on 30 July 2002. Hon James TO suggested that the report be discussed by the Panel.

To be confirmed

**6. Mechanism of the review of the List of Recordable Offences and disclosure of review of the List of Recordable Offences by the Police**

Item referred to the Panel by the Bills Committee on Land (Miscellaneous Provisions) (Amendment) Bill 2002 for follow-up on the mechanism of the review of the List of Recordable Offences and disclosure of review of the List of Recordable Offences by the Police. The relevant information was circulated to members vide LC Paper No. CB(2)1030/02-03 on 24 January 2003.

To be confirmed

**Proposed timing  
for discussion**

**7. Monitoring of anti-terrorism measures by the Administration**

In the course of deliberations of the Bills Committee on United Nations (Anti-Terrorism Measures) Bill, the Administration undertook to review periodically the anti-terrorism measures set out in legislation to ensure that they were in line with the international trend. The Bills Committee agreed that the monitoring of anti-terrorism measures should be referred to the Panel for follow-up. The Administration provided updated information on the anti-terrorism laws of a number of overseas jurisdictions at the Panel meeting on 20 February 2003 vide LC Paper No. CB(2)1113/02-03(03).

To be confirmed

A submission from the Amnesty International, Hong Kong Section Limited on the United Nations (Anti-Terrorism Measures) Ordinance was circulated vide LC Paper No. CB(2)170/02-03 on 25 October 2002 for members' information. The Administration's response to the submission was circulated to members vide LC Paper No. CB(2)411/02-03 on 19 November 2002.

At the suggestion of members, the subject of "Measures to combat terrorist activities in Hong Kong" was discussed at the meeting on 5 December 2002.

At the meetings on 16 January 2003 and 20 February 2003, the Panel was consulted on the proposals in the United Nations (Anti-Terrorism Measures) (Amendment) Bill 2003, which sought to implement relevant international conventions against terrorism, and to provide the means for the Secretary for Security to effectively freeze terrorist assets which are not funds. The Administration subsequently introduced the Bill on 21 May 2003. A Bills Committee has been formed to study the Bill.

**Proposed timing  
for discussion**

**8. Follow-up on measures to combat illegal employment**

Measures to combat illegal employment were discussed at the Panel meeting on 13 November 2003. At the meeting, the Chairman suggested that the issue be discussed again at a future meeting.

To be confirmed

**Items likely to be proposed by the Administration**

**9. Fire Station-cum-Ambulance Depot and the Kowloon Fire Command Headquarters at Area H1 of Baptist University Road, Kowloon Tong**

To be confirmed

**10. Bill to effect the International Civil Aviation Organisation model legislation on unruly passengers on board aircraft**

To be confirmed

**11. Progress on the implementation of the Admission Scheme for Mainland Talents and Professionals**

To be confirmed

**12. Progress on the HKSAR Identity Card Project**

To be confirmed

**13. Stage 1 Feasibility Study of Prison Complex at Hei Ling Chau**

To be confirmed

**14. Additional office accommodation and minor improvement works at Sha Tau Kok Control Point**

To be confirmed