

Panel on Security**List of follow-up actions**
(position as at 7 May 2004)

Subject	Date of Meeting	Follow-up action required	Administration's response
1. Admission Scheme for Mainland Talents and Professionals	4 April 2003 (Joint meeting with the Panel on Manpower)	The Administration agreed to provide members with progress reports on the Scheme on a regular basis.	Progress report on the Scheme for the period from 1 November 2003 to 31 March 2004 was circulated vide LC Paper No. CB(2)2124/03-04 on 22 April 2004.
2. Categorization of views of organizations and individuals on specific proposals to implement Article 23 of the Basic Law	17 June 2003	The Administration would discuss its proposed schemes of categorisation with the Research Team on the Compendium of Submissions on Article 23 of the Basic Law and inform the Panel of the outcome of the discussion.	Response circulated vide LC Paper No. CB(2)1890/03-04 on 30 March 2004.

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3. Issues relating to right of abode	16 January 2004	The Administration was requested to provide, in connection with the judgment of the Court of Final Appeal delivered on 10 January 2002 in respect of appeal cases concerning right of abode (ROA) in the Hong Kong Special Administrative Region, information on the manpower deployed and legal expenses incurred by the Administration in dealing with the appeal cases after the judgment, the number of appeal cases which were still outstanding and the number of appellants involved.	Response circulated vide LC Paper No. CB(2)2241/03-04 on 4 May 2004.

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	16 March 2004	<p>The Administration was requested to provide -</p> <p>(a) all information relevant to the Administration's estimates in 1999 of the number of Mainland persons with ROA in Hong Kong under BL24(2)(3), including why the Randomised Response Technique was used in the survey instead of the Direct Questioning Method, the interim estimates, the final estimates and the revised estimates after the interpretation of the Standing Committee of the National People's Congress (NPCSC) on 26 June 1999;</p> <p>(b) information on how the estimates in 1999 were arrived at, how the estimates had changed after NPCSC's interpretation, the latest situation and an assessment of the future situation regarding such Mainland persons; and</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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		(c) a paper on the information required for assessing the accuracy of the estimates in 1999 of Mainland persons with ROA in Hong Kong, and to set out the arguments, if it was not possible to assess the accuracy of its estimates.	Response awaited.
4. Anti-corruption work of the Independent Commission Against Corruption (ICAC)	16 January 2004	<p>The ICAC was requested to provide -</p> <p>(a) information on the enforcement difficulties encountered by the ICAC arising from not making misconduct in public office for gain a statutory offence;</p> <p>(b) the text of the Anti-corruption Action Plan of the Asian Development Bank Organisation for Economic Co-operation and Development, and the United Nations Convention Against Corruption;</p> <p>(c) information on anti-corruption education for the youth; and</p>	<p>Response circulated vide LC Paper No. CB(2)2143/03-04 on 23 April 2004.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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		(d) information on the impact on the work or services of ICAC in quantitative terms of reduction in resources allocated.	Response circulated vide LC Paper No. CB(2)2143/03-04 on 23 April 2004.
5. Monitoring of Police officers associated with triad and undesirable elements and communication between the Police and the ICAC over allegations of corruption involving such elements	19 January 2004	<p>The Police undertook to -</p> <p>(a) provide the Police General Order on reporting of undesirable association and its internal instruction encouraging Police officers to report cases of undesirable association;</p> <p>(b) provide a written response in respect of the general principles of the background checks on Police officers; and</p> <p>(c) provide information on the number of Police officers not promoted due to failure to pass background checks in the past three years.</p>	<p>Response circulated vide LC Paper No. CB(2)1891/03-04 on 31 March 2004.</p> <p>Response circulated vide LC Paper No. CB(2)1893/03-04 on 30 March 2004.</p> <p>- Ditto -</p>

Subject	Date of Meeting	Follow-up action required	Administration's response
6. Implementation of Phase III of the Updated Information Systems Strategy for the Immigration Department (ImmD)	16 March 2004	<p>(a) The Administration was requested to advise on the circumstances under which an incoming electronic mail would be permanently stored in the new system of ImmD, its legal status under local legislation, and whether it fell within the meaning of a record of ImmD in claims for right of abode; and</p> <p>(b) The Administration was requested to provide information on the criteria for classifying an electronic mail as an enquiry or an application and how applications not submitted with the use of suitable forms would be dealt with.</p>	<p>Response awaited.</p> <p>- Ditto -</p>
7. Mechanism for review of the List of Recordable Offences	2 April 2004	<p>The Administration was requested to -</p> <p>(a) provide the list of some 167 offences which might be recordable by the Police;</p>	Response awaited.

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		<p>(b) explain the criteria for recording an offence, including conviction during the serving of a suspended sentence and offences where a heavier sentence would be imposed on reconviction;</p> <p>(c) explain the circumstances under which the court would order that a particular conviction be recorded, the legal basis of such an order and whether such an order was still given by the court; and</p> <p>(d) provide information on the circumstances under which a Certificate of No Criminal Conviction would be issued.</p>	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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8. Progress of review of the Interception of Communications Ordinance (IOCO)	2 April 2004	<p>The Administration was requested to -</p> <ul style="list-style-type: none"> (a) provide members with a list of problems associated with IOCO, advise members of the latest development of its work in addressing the problems, inform members of the options being considered and the Administration's inclination on the way forward regarding interception of communications; and (b) provide a paper on - <ul style="list-style-type: none"> (i) the scope of the Chief Executive's discretion under Article 64 of the Basic Law and section 1(2) of IOCO in deciding whether and when IOCO should come into operation; and (ii) the criteria for determining whether and when IOCO should come into operation. 	<p>Response awaited.</p> <p>- Ditto -</p>

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<p>9. Issues relating to the incident on 2 April 2004 where protestors were removed from the area outside the Central Government Offices</p>	<p>8 April 2004</p>	<p>The Administration was requested to -</p> <ul style="list-style-type: none"> (a) provide the Police's guidelines on Resistance Control Tactics; (b) provide information about the relative timing of the injury of a Police officer and the removal of reporters by Police officers; (c) confirm whether a government official had contacted a newspaper company at 4:30 am on 2 April 2004 stating that removal action would be taken and requesting it to withdraw its reporters from the spot; (d) provide information on the sequence of events relating to the requests of protestors and the respective responses of the Administration Wing on 1 and 2 April 2004; and 	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p>

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		(e) provide a response on the suggestion that the Police should include in their internal guidelines certain actions and postures, such as "throat-locking" when dragging a person, which should be avoided when carrying out removal actions.	Response awaited.

Council Business Division 2
Legislative Council Secretariat
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