

**SB Ref: ICSB 20/06**

**Bills Committee on  
Interception of Communications and Surveillance Bill**

**Response to issues raised**

This paper sets out the Administration's response to issues raised at the Bills Committee since the issue of paper SB Ref : ICSB 17/06.

2. On some the issues we agree to suggestions to amend the Bill, and have incorporated such CSAs in paper SB Ref : ICSB 19/06. A list of such issues are at **Annex A**. We also agree to some suggestions for including in the code of practice the points listed in Annex A. The other issues are discussed below.

**Clause 3**

- *To consider further amending the CSAs to clause 3(b)(iii) by expressly referring to journalistic material and / or providing for a public interest test. (raised at the meeting on 28 June 2006)*

3. We have previously explained that the “proportionality” and “necessity” tests stipulated in Clause 3 already require the authorizing authority to take into account all matters that are relevant. The “proportionality” test covers the full range of fundamental rights and freedoms, and requires the relevant authority to pay sufficient regard to such rights and freedoms of the affected persons in examining whether the proposed operation would have a disproportionate effect on their rights. Accordingly, panel judges will surely take into account the importance of press freedom. For the reference of LEAs, we will include a reminder in the code of practice.

4. The interception or covert surveillance sought to be carried out by an LEA is bound to be in the public interest if all the conditions in clause 3 are met. It is therefore unnecessary to incorporate a public interest test.

### Clauses 43 & 46

- ***To consider replacing the test in clauses 43 and 46A of “without the authority of a prescribed authorization” with “in contravention of this Ordinance”. (raised at the meeting on 29 June 2006)***

5. We believe that the current test of “without the authority of a prescribed authorization” is more appropriate. It covers situations where the interception or covert surveillance is carried out without the proper authority of a prescribed authorization. A contravention of the Ordinance might, on the other hand, cover many different aspects (e.g., it might be just a technical breach), and is a less precise test.

### Clause 46

- ***To consider requiring the Commissioner to give the notice under clause 46A(1) as soon as reasonably practicable, but subject to clause 46A(3). (raised at the meeting on 29 June 2006)***

6. Section 70 of Cap. 1 provides that –

*“Where no time is prescribed or allowed within which any thing shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises.”*

This will apply to the clauses in question.

- ***To consider allowing the Commissioner a discretion to give reasons for his findings and other details under clause 46A(4)(a), subject to clause 46A(3). (raised at the meeting on 29 June 2006)***

7. We consider that giving the duration and whether the case concerns interception or covert surveillance already strikes the right balance between providing the subject with some details and not jeopardizing the covert nature of the operations.

- ***To consider whether the Commissioner’s annual report should include the number of cases, broken down by department, in which disciplinary action has been taken for non-compliance with the relevant requirements. (raised at the meeting on 27 June 2006)***

8. We have further amended clause 47(2)(d)(vb) to include the number of cases of disciplinary action. Please see paper SB Ref : ICSB 19/06.

9. We are not in favour of mandating the provision of a breakdown by department. Depending on circumstances, this may give a misleading impression, especially when read out of context. We should leave the Commissioner some flexibility to decide how best to present his annual report, having regard to the circumstances.

### **Clause 52**

- *To consider amending clause 52 by adding “and errors” after “relevant requirement”. (raised at the meeting on 29 June 2006)*

10. Clause 52 now refers to “failure .... to comply with any relevant requirement”. This already covers errors in complying with the relevant requirements, and we do not consider the proposed amendment necessary.

### **Clause 55**

- *To consider whether the authorizing authority should have the power to initiate revocation of an authorization. (raised at the meeting on 27 June 2006)*
- *To consider if a reviewing officer should be given the power to cancel an executive authorization by applying the Judicial Review principles. (raised at the meeting on 30 June 2006)*

11. We have explained that the authorizing authority is not, and is not supposed to be, directly involved in the investigative process. As such it is appropriate to place the onus to discontinue an operation on the LEAs. Any discontinuance will have to be followed by a report to the authorizing authority for revocation of the original authorization.

12. As previously explained, we do not consider it appropriate to let the reviewing officer cancel a duly issued authorization. A reviewing officer may discontinue an operation under clause 55(1), and then report to the authorising authority who will then revoke the authorization.

- *To further consider if clause 55(6)(a) already captures the grounds for discontinuing an operation arising from “mistakes”, and if so, advise if clause 55(6)(b) is necessary.*
- *To consider if it is more appropriate to set out the examples of conditions for continuance not being met in the code of practice or the Bill. (raised at the meeting on 30 June 2006)*

- *To advise if products obtained prior to the discontinuation of an operation under clause 55 may be retained and used. (raised at the meeting on 30 June 2006)*

13. Clause 55(6)(a) already captures the grounds for discontinuing an operation arising from “mistakes”. We agree with the comment that clause 55(6)(b) is not strictly necessary, and have deleted it in the latest CSAs set out in paper SB Ref : ICSB 19/06.

14. Setting out examples in the Bill might give a misleading impression regarding the legislative intent as to whether the examples should be given undue weight. We believe that it is more appropriate to set out the examples of conditions for continuance not being met in the code of practice.

15. The products obtained pursuant to a prescribed authorization may be retained and used.

### **Clause 58**

- *To consider amending clause 58, e.g. -*
  - (a) to amend clause 58(1) to enable the judge to keep the evidence and decide whether the evidence should be admissible;*
  - (b) to delete clause 58(3) and (4);*
  - (c) to make clear that clause 58(4) also applies to appeal proceedings;*
  - (d) to amend the term “essential” to “material” in clause 58(6).*
  - (e) to set out expressly what a trial judge may do if the prosecution does not make the admission of fact ordered under clause 58(6);*

*(raised at the meetings on 30 June 2006 and 4 July 2006)*

16. We have explained the factors that we have taken into account in considering our policy on the question of the use of telecommunication intercepts as evidence, including the privacy consideration and the need to avoid revealing our LEAs’ capabilities in telecommunications interception. We have also explained that clause 58(3) is a necessary corollary of clause 58(1) and (2). The United Kingdom has a similar policy as ours on the destruction of telecommunications intercepts, and its relevant legislation contains provisions similar to clause 58(1) to (3). We continue to prefer clearly reflecting our policy in the Bill through sub-clauses (1) to (3).

17. Clause 58(4) is necessary to ensure that any exculpatory information be disclosed to the relevant judge notwithstanding the provision of not introducing telecommunications intercepts as evidence. It is a safeguard and should therefore not be deleted.

18. Taking into account Members' suggestion, we have made a number of changes to clause 58 to address points (c), (d) and (e) above. Please see paper SB Ref : ICSB 19/06.

### **Other issues**

- ***To consider beefing up the mock-up examples at Annex B to paper SB Ref ICSB 15/06. (raised at the meeting on 28 June 2006)***

19. Two revised mock-ups are attached at **Annex B**.

- ***To advise what role CE will play under the new statutory regime. (raised at the meeting on 4 July 2006)***

20. CE will play the roles assigned to him under the Bill, e.g., appointing the panel judges and the Commissioner on the recommendation of the Chief Justice, receiving the annual report submitted by the Commissioner and any other reports that the Commissioner may submit to him, etc.

- ***To advise what will happen to the Law Enforcement (Covert Surveillance Procedures) Order (the Executive Order) after the passage of the Bill. (raised at the meeting on 4 July 2006)***

21. The Executive Order will be revoked.

- ***To further consider conducting a briefing on interception of telecommunications. (raised at the meeting on 4 July 2006)***

22. We have explained the constraints regarding a briefing on the technical details. Nonetheless, we stand ready to answer Members' further questions on the subject as best as we can at a briefing session. We will arrange the logistics with the Clerk to Bills Committee.

- ***To advise if the summaries and extracts of telecommunications intercepts are also destroyed within one month. (raised at the meeting on 4 July 2006)***
- ***To reflect in the code of practice the principles for deriving intelligence gathered from interception and covert surveillance***

*products. (raised at the meeting on 4 July 2006)*

- *To consider, in the future review of intelligence management, whether a Superintendent is sufficiently senior for managing the intelligence database. (raised at the meeting on 4 July 2006)*
- *To advise the procedures involved in controlling access to the intelligence database. (raised at the meeting on 4 July 2006)*
- *To advise on the safeguards for intelligence derived from interception and covert surveillance products, including (a) the criteria for selecting the information for keeping in the intelligence database; (b) the control on access to the database; and (c) the control on the use of the intelligence. (raised at the meeting on 6 July 2006)*

23. The originals of telecommunications intercepts are destroyed within one month. Any summaries and extracts of the originals are destroyed as soon as possible but in any case not later than one month after the completion of the operation.

24. To discuss the other questions, we propose to explain technical details of our intelligence management system at the technical briefing mentioned at paragraph 22 above.

- *To advise if there are administrative arrangements to prevent the theft of the contents of postal intercepts. (raised at the meeting on 4 July 2006)*

25. At present, when any postal packets need to be opened for examination by LEAs, the following procedures have to be observed –

- The examination should be carried out either in the presence of another party (such as postal officers), or by at least two LEA officers, one being a supervisory staff at the rank of Inspector or above.
- LEA officers should ensure that a report to record details of the examination is completed and duly signed by officers carrying out the examination.

**List of issues raised since paper SB Ref : ICSB 17/06  
Agreed to by the Administration**

On the following issues we have made CSAs accordingly.  
Please see paper SB Ref : ICSB 19/06.

**Clause 46A**

- *To consider allowing the Commissioner a discretion to extend the time beyond 6 months in clause 46A(1). (raised at the meeting on 29 June 2006)*
- *To consider if clause 46A(6) is required. If so, to consider–*
  - (a) amending clause 46A(6)(a) by adding “with reasonable effort” at the end;*
  - (b) deleting clause 46A(6)(b); and*
  - (c) making clear what “minimal” means under clause 46A(6)(c).**(raised at the meeting on 29 June 2006)*

**Clause 47**

- *To consider including in the Commissioner’s annual report the number of cases that he has found in the applicant’s favour and the number that he has not found in the applicant’s favour after conducting his examinations. (raised at the meeting on 26 June 2006)*

**Schedule 2**

- *To further amend the CSA to clause 3(3)(b) of Schedule 2 along the lines of “including those performed at the request of the Commissioner under section 51(1A)”. (raised at the meeting on 28 June 2006)*
- *To consider providing that “in private” in clause 1(1) of Schedule 2 applies to cases where there are hearings. (raised at the meeting on 28 June 2006)*
- *To consider making drafting changes to clause 3(5) of Schedule 2. (raised at the meeting on 27 June 2006)*

### **Schedule 3**

- *To consider further amending the CSAs to paragraph (b)(x) of Part 1 of Schedule 3 and similar provisions to refer to telephone numbers and addresses put under surveillance. (raised at the meeting on 28 June 2006)*
2. We will cover the following points in the code of practice -
- *To consider providing expressly, either in the Bill or in the code of practice, that the determination in respect of previous applications should be included in the affidavit under paragraph (b)(x) of Part 1 of Schedule 3. (raised at the meeting on 28 June 2006)*
  - *To stipulate in the code of practice that should any condition be set by a health authority for the use of a surveillance device, it should be drawn to the attention of officers. (raised at the meeting on 4 July 2006)*



**AFFIDAVIT / AFFIRMATION**  
**s. 8(1) Application for a Judge's Authorization**

ICSO No. \_\_\_\_\_ of 2006

INTERCEPTION OF COMMUNICATIONS AND  
SURVEILLANCE ORDINANCE

(Chapter XXX)

(Section 8(1))

APPLICATION FOR AN AUTHORIZATION FOR  
~~INTERCEPTION~~ / TYPE 1 SURVEILLANCE\*

**AFFIDAVIT / AFFIRMATION\* OF [Name of Applicant]**

I, [name and rank of applicant] of the Hong Kong Police Force, ~~make oath and say~~ / do solemnly and sincerely affirm\* as follows:

2. I am a [rank and post of applicant] attached to the [Organized Crime and Triad Bureau of the Hong Kong Police Force], and thereby, I am an officer authorized to so apply for an authorization for [~~interception or~~ Type 1 surveillance] pursuant to the Interception of Communications and Surveillance Ordinance, Cap. XXX ("the Ordinance"). I ~~swear~~ / affirm\* this Affidavit / Affirmation\* in support of an application for the authorization pursuant to section 8(1) of the Ordinance with the approval of the [name, rank and post of the directorate officer who gave the approval] to make it. The contents of this affidavit / affirmation\* are true to the best of my knowledge, information and belief in that the facts and matters deposed to in it are either within my personal knowledge or are based upon information supplied to me by colleagues who are involved in this investigation and which I verily believe to be true.

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\* Delete as appropriate.

**The Purpose of the Application and the Investigation into Which it Relates**

3. The purpose of this application for Type 1 Surveillance is for preventing or detecting serious crime. The information detailed below creates a reasonable suspicion that the subject has been, is or is likely to be involved in the following serious crimes:

- The offences of ‘Attending a Meeting of a Triad Society’ and ‘Managing a Triad Society’ contrary to Sections 20(2) and 19(2), Cap. 151 Societies Ordinance with maximum penalty of 3 years/7 years and 15 years imprisonment respectively.
- The offence of trafficking in dangerous drugs contrary to Section 4 of the Dangerous Drugs Ordinance, Cap. 134 with a maximum penalty of life imprisonment.

*The nature of the investigation*

4. This application relates to CHAN Tai-man, HKID: A 123456(7), on whom Type 1 surveillance is to be carried out and is based on the following facts. According to information provided by a usually very reliable informant XXX, who is in close contact with one of Chan’s associates, it is reasonably suspected that CHAN Tai-man, who is known to be the Dragon Head of CCC triad society, will shortly hold a triad meeting with other top office bearers to discuss matters in relation to the upcoming election of his successor and to plan drug trafficking activities. There has been much discussion amongst lower ranking members of the CCC triad society about this meeting with speculation about Chan’s successor. Furthermore the importation and distribution of a large volume of heroin is to take place and will be used as an opportunity to show continuity in the leadership of the CCC triad society and to ensure that rivals do not perceive the leadership succession as weakening the authority and importance of CCC as a triad society. According to criminal records, the subject has previously engaged in triad activities and been active in international drug trafficking activities. The subject has a previous conviction on the offences of ‘Claiming to be a Member of Triad Society’ and ‘Trafficking in Dangerous Drugs’ from other places into Hong Kong in August 1996, and was sentenced to imprisonment for 8 years.

*The immediacy and gravity of the serious crimes*

5. Triad societies, if allowed to go unchecked, have a significant adverse impact on law and order in Hong Kong as they are usually the mastermind behind much of Hong Kong’s

organized crime and serious corruption. The identification of the subject's associates and the collection of information which will shed light on their criminal activities relating to drug trafficking are of pivotal importance and are urgently needed to assist in the prevention and detection of crime. A failure to obtain this information will likely result in the successful importation of a large quantity of dangerous drugs. The ready availability of addictive drugs will impact upon the health of Hong Kong people, especially its young people, and may lead to an increase in the number of drug addicts. An increase in the drug addict population will likely have a consequential effect on the crime rate as addicts are prone to commit crimes, such as robbery, snatching and burglary, in order to obtain money for their drug consumption.

6. According to informant XXX, the importation that is being arranged is believed to have already left its port of departure and its arrival in Hong Kong is imminent.

*Previous applications*

7. This is the second time a Type 1 surveillance has been mounted against CHAN Tai-man within the preceding 2 years. The last operation was also a Type 1 surveillance covering the period between 2005-05-01 and 2005-05-10. The authorization was issued by Panel Judge TAI Fat-kwun on 2005-04-28 with no subsequent renewal. Optical and audio devices were employed to identify an accomplice with whom the subject was conspiring to import 10 Kg of heroin from Thailand into Hong Kong by air. Details of the plot were revealed by means of the audio device employed during the operation. CHAN Tai-man and his accomplice were subsequently charged with the offence of 'Trafficking in Dangerous Drugs'. CHAN Tai-man was acquitted and his accomplice was sentenced to 7 years' imprisonment.

**The Form, Location and Duration of the Type 1 Surveillance**

8. The form of Type 1 surveillance intended to be used is optical and audio devices to enable the identification of the subject's associates in CCC triad society and the monitoring of their conversations relating to the upcoming election and any drug trafficking inside a private room of a restaurant.

9. The location where Type 1 surveillance is to be carried out is inside a private room of AAA Restaurant located at XXXX and the proposed duration of the operation is between 1800 hrs. on 2006-07-15 and 0600 hrs. on 2006-07-16.

### **The Benefits Likely to be Obtained by Carrying Out the Type 1 Surveillance**

10. The Type 1 surveillance is likely to provide information which will assist in the identification of all the top office bearers attending the triad meeting and details of their conversations relating to the upcoming election and their organized drug trafficking activities. The information will greatly assist in the investigation of the serious offences in which the subject is suspected to be involved. If drug trafficking activities are discussed then the record of the conversation will provide evidence of a high probative value and contribute significantly to a successful prosecution of Chan Tai-man and his associates. The identification of the subject's associates who are engaged in managing the triad society will assist the police in gathering evidence with a view to prosecuting these people for the offences of 'Attending a Meeting of a Triad Society' and 'Managing a Triad Society' contravening Sections 20(2) and 19(2), Cap. 151 Societies Ordinance.

11. Furthermore, information that is collected on any criminal activities which the subject and his associates are planning will assist the police in the prevention and detection of crime by making arrests and preventing the trafficking of large quantities of drugs into Hong Kong.

12. If this application for a Type 1 surveillance is not approved, the police will lose a valuable opportunity to gather information on the identity of the management of CCC triad society and on the criminal activities which the subject and his associates are planning.

### **The Impact of the Type 1 Surveillance on the Privacy of Persons Affected by it**

13. The persons subject to or affected by the Type 1 surveillance includes the subject, other office bearers and members of CCC triad society, some of the staff and patrons of AAA Restaurant located at XXX. The risk of the privacy of innocent third parties being intruded upon is minimal and every effort will be made to eliminate this risk altogether. In this respect much will depend on the intelligence that is received closer to the time. If it is precise as to the location of the meeting then there is a very strong chance that surveillance devices can be used that will target only the subject and his CCC triad society associates. Officers who are going to take part in the surveillance will be briefed not to target people other than the subject or his associates and to direct their devices accordingly.

14. This is a triad meeting to be held for the discussion on the succession of its management and criminal activities and as there is no information to show that legal practitioners or journalists will attend the meeting, it is assessed that the likelihood of obtaining information which may be subject to legal professional privilege or involve journalistic material is low.

**The Availability of Less Intrusive Means to Further the Investigation**

15. Due to the secretive nature of CCC triad society, information on the identification of its management and criminal activities is accessible only to the subject and his associates. Gathering of information by way of approaching its grass-root members has been tried but to no avail. Attempts to infiltrate the triad society have been unsuccessful. It would be impracticable and unproductive to try to obtain the information overtly.

16. I therefore make this Affidavit / Affirmation \* in support of my application for judge’s authorization for Type 1 surveillance under section 8(1) of the Ordinance.

Sworn / Affirmed \* at the High Court of Hong Kong )  
Hong Kong SAR )  
On the \_\_ day of \_\_ [Month] [Year] )

\_\_\_\_\_  
[Name and Rank of the Applicant]

before me

\_\_\_\_\_  
( Commissioner for Oaths )  
JUDICIARY

**AFFIDAVIT / AFFIRMATION**  
**s. 8(1) Application for an Authorization**

ICSO No. \_\_\_\_\_ of 2006  
ICAC-TI-0001-2006

INTERCEPTION OF COMMUNICATIONS AND  
SURVEILLANCE ORDINANCE

(Chapter XXX)

(Section 8(1))

APPLICATION FOR AN AUTHORIZATION FOR  
INTERCEPTION/~~TYPE 1~~ SURVEILLANCE\*

**AFFIDAVIT/AFFIRMATION\* OF AAA**

I, [AAA, *Principal Investigator*] of the Independent Commission Against Corruption (ICAC), ~~make oath and say~~/do solemnly and sincerely affirm\* as follows:

2. I am an officer of the ICAC, namely a Principal Investigator of the ICAC, and by virtue of such am eligible to apply for an authorization for interception pursuant to the Interception of Communications and Surveillance Ordinance, Cap. XXX (“the Ordinance”). I ~~swear~~/affirm\* this Affidavit/Affirmation\* in support of an application for an authorization pursuant to section 8(1) of the Ordinance. The making of this application has been approved by [Mr XXX], an Assistant Director of the Operations Department, a directorate officer of the ICAC. The contents of this Affidavit/Affirmation are true to the best of my knowledge, information and belief in that the facts and matters deposed to in it are either within my personal knowledge or are based upon information supplied to me by colleagues who are involved in this investigation and which I verily believe to be true.

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\* Delete as appropriate.

### **The Purpose of the Application and the Investigation to Which it Relates**

3. This application is for an authorization for the interception of the communications of the senior executive of the listed company ABC Pty Ltd (ABC). The purpose sought to be furthered by carrying out the interception is that of preventing or detecting serious crime, namely offences of accepting or offering an advantage suspected to have been committed by the senior executive of ABC and by certain financial analysts of two fund houses, contrary to section 9 of the Prevention of Bribery Ordinance (POBO) and conspiracy to defraud contrary to common law. The first offence carries a maximum sentence of 7 years, and the second offence carries a maximum sentence of 14 years.

4. The Application is based on the following facts which create a reasonable suspicion that the subjects have been, are or are likely to be involved in the aforesaid serious crimes. The subject of the investigation is Mr X, Hong Kong Identity Card No. [ ], who is a senior executive of ABC, a company listed on the Hong Kong Exchange. Information provided to the ICAC by Miss A, a former girlfriend of Mr X, and other information acquired by the ICAC as detailed below, reveals a reasonable suspicion that Mr X is intending to bribe or has already offered to bribe two financial analysts of two fund houses based in Hong Kong as a reward for their writing favourable reports on the profitability of the stock of the listed company. The information so far obtained suggests that the amount of the bribes is likely to be in the region of several million dollars payable in cash and disguised as share options. The reason for Mr X's corrupt conduct is because ABC is contemplating raising funds through a share placement and in order to make the placement attractive to the market it is essential that the price of the stock remain above a certain level. ICAC investigations to date have confirmed Mr X's position within ABC and that this company is indeed proposing a share placement. From surveillance conducted it is apparent that there have been a number of contacts between Mr X and the financial analysts and it is believed that they have agreed or are in the process of agreeing to Mr X's proposal. All this information provides strong reasons to believe that Mr X and the analysts will meet with each other in the next two weeks but as yet the details of the place and time of their meeting are not known. If these proposals are implemented there is a real danger of a major fraud being perpetrated upon the market with the economic interests of small and large investors and institutional investors being placed at risk.

5. I am not aware of any previous application having been made in the past 2 years in respect of the subject or any of the persons mentioned in this my application.

### **The Duration of the Interception and the Communications to be Intercepted**

6. Interception is sought of the communication services used by the senior executive as set out in the attached Schedules 1 and 2 under the respective references ICAC-TI-SG-0001-2006 and ICAC-TI-FG-0001-2006. The criminal conduct of the participants must occur before the placement of the shares which is expected to occur on [ ]. The authorization is therefore sought for the period up to and one week beyond the date of the share placement.

### **The Benefits Likely to be Obtained by Carrying Out the Interception**

7. It is likely that from the interception intelligence on the suspects' corrupt activities will be obtained. This should include the revelation of the identities of all those involved in the fraud, the details of the role of each participant the payments to be received from the senior executive in return for their corrupt cooperation.

### **The Impact of the Interception on Persons Affected by it**

8. The telephone services are solely used by the senior executive. The two telephone lines are known to be used by the subject for the conduct of his business but may also be used for personal matters. It is likely that apart from between the senior executive and the suspected financial analysts, other communications between the subject and his business contacts, whose identities are not known, may unavoidably be intercepted.

9. There is no information to suggest that the senior executive or any of his contacts will, for the purpose of seeking legal advice or in connection with or in contemplation of legal proceedings, communicate with a professional legal adviser. I, therefore, have no reason to believe that obtaining information subject to legal professional privilege through the covert operations under the authorization is likely.



10. There is also no information to suggest that the senior executive or any of his contacts will engage in any communications with journalists and I, therefore, have no reason to believe that obtaining journalistic material through the interception under the authorization is likely.

### **The Availability of Less Intrusive Means to Further the Investigation**

11. Initial enquiries have confirmed the information provided by Miss A but cannot produce further leads to establish when and where the senior executive is going to meet with the financial analysts, the full details of the scheme and the identities of all those assisting in its implementation. According to Miss A, the senior executive arranges his contacts with the analysts personally and usually on his mobile phone. Without knowing what they are saying to each other in these conversations it is impossible to plan the investigation and identify other less intrusive means to further the purposes sought.

12. I therefore make this Affidavit/Affirmation\* in support of my application for an authorization for interception under section 8(1) of the Ordinance.

Sworn/Affirmed\* at the High Court     )  
 Hong Kong SAR                                     )  
 On the *[date]* day of *[month]* *[year]*                     )

Signed  
 \_\_\_\_\_  
*[XXX]*, Principal Investigator  
 ICAC

before me

\_\_\_\_\_  
 ( Commissioner for Oaths or Panel Judge )

\* Delete as appropriate.

Schedule "1"

ICSO No. of 2006

ICAC-TI-0001-2006

INTERCEPTION OF COMMUNICATIONS AND  
SURVEILLANCE ORDINANCE

(Chapter XXX)

(Section 8(1))

APPLICATION FOR AN AUTHORIZATION FOR  
INTERCEPTION

SCHEDULE OF COMMUNICATION SERVICE REFERRED TO  
IN THE ~~AFFIDAVIT~~/AFFIRMATION\* OF "AAA"

Reference : ICAC-TI-SG-0001-2006  
Telephone number : [12345678]  
Subscriber : ABC Pty Ltd  
Installation Address : Flat A4, 7/F., XXX Mansion, To Kwa Wan, Kowloon.

\* Delete as appropriate.

Schedule "2"

ICSO No. of 2006

ICAC-TI-0001-2006

INTERCEPTION OF COMMUNICATIONS AND  
SURVEILLANCE ORDINANCE

(Chapter XXX)

(Section 8(1))

APPLICATION FOR AN AUTHORIZATION FOR  
INTERCEPTION

SCHEDULE OF COMMUNICATION SERVICE REFERRED TO  
IN THE ~~AFFIDAVIT~~/AFFIRMATION\* OF "AAA"

Reference : ICAC-TI-FG-0001-2006  
Telephone number : [87654321]  
Subscriber : ABC Pty Ltd  
Subscriber's Address : Flat A4, 7/F., XXX Mansion, To Kwa Wan, Kowloon.

\* Delete as appropriate.