

政府總部  
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25 February 2006

Mrs Sharon Tong  
Clerk to LegCo Panel on Security  
Legislative Council  
3/F Citibank Tower  
3 Garden Road  
Central

Dear Mrs Tong,

### **Interception of Communications and Covert Surveillance**

#### **Number of Cases**

I refer to paragraph 3 of the Administration's paper that the Panel discussed on 21 February 2006. The law enforcement agencies have in the past few days undertaken a quick review of the cases of interception of communications and covert surveillance in the last three months of 2005. The number of cases is as follows –

- Interception of communications : 178
- Covert surveillance : 170

We have previously explained that the current regulatory regime for interception of communications and covert surveillance is different from our proposed regime in various ways. For example, the thresholds for the definition of crime warranting the use of covert surveillance is any crime at present but would be serious crime<sup>1</sup> for the proposed regime. Applying


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<sup>1</sup> offences punishable by a maximum of 3 years' imprisonment or above or a fine of \$1 million or above

the criteria of the proposed new legislative regime to these cases, the number of cases of interception of communications that would require judicial authorization would be 178. As regards covert surveillance, 28 cases would require judicial authorization and 114 cases executive authorization. The remainder (28 cases) are accounted for by the differences between the two regimes.

I should be grateful if you would bring this to Members' attention.

Yours sincerely,



(Miss Cheung Siu Hing)  
for Secretary for Security