

立法會

Legislative Council

LC Paper No. AS 279/09-10

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Paper for the House Committee Meeting on 2 July 2010

Security service provided to the Legislative Council

Purpose

This paper outlines the current security service provided to the Legislative Council (“LegCo”) and provides an overview on the staffing complement in providing this service as well as the challenges faced by the security staff.

Security service

2. The security service provided to LegCo is to enforce the Administrative Instructions for Regulating Admittance and Conduct of Persons issued by the President under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) (**Appendix I**), and to respond to security needs in the management of the premises of LegCo. At present, there is a total strength of 30 staff in the Security Office of the LegCo Secretariat who are deployed to perform that service at the front line.

3. Apart from guarding the four entrances to the LegCo Building, with one of them open round-the-clock, security staff are also required to provide guarding service on all floors of the LegCo Building. Security staff are also stationed inside the Chamber and Conference Rooms during open meetings. They may give directions to members of the public who are observing proceedings of LegCo or its committee where it is necessary for the purpose of keeping order. They are also required to carry out orders of the President and Chairmen of committees.

Establishment of the Security Office

4. The Security Office is headed by a Security Officer ("SO"). The SO plans and co-ordinates all security measures and operations of the LegCo Building, and provides supervision and training to the security team. Security staff are full-time staff of the Secretariat and most of them have at least 10 years' experience in a disciplinary force within the Civil Service before their first appointment to the Secretariat.

5. Security service for the LegCo Building is provided round-the-clock. Security staff are scheduled to work in three 8.5-hour shifts in manning the LegCo Building. They control access to the LegCo Building and the carpark area, and provide guarding services at the offices of the Complaints Division in Citibank Tower during office hours, including crowd control duties where petitioning activities are being held outside the LegCo Building. Separately, a separate security team is deployed for duties inside the Chamber and conference rooms. They are required to carry out orders given by the President and committee chairmen, and to provide guarding service at the entrances to meeting venues.

6. In addition to the security staff, four clerical staff are engaged to man the reception counters at the four entrances of the LegCo Building. Their responsibilities include the handling of public enquiries, reservation of seats in the public galleries, receiving visitors and issuing entry passes to visitors.

7. Following the incident at which a man slashed himself with a cutter in the public gallery during the Council meeting held on 10 June 2009, a door-frame metal detector was installed and contract security guards are engaged to check all members of the public who enter the LegCo Building to observe meetings of the Council or its committees. On occasions, if circumstances so warrant, additional contract security guards are engaged to supplement the staffing complement of the Security Office. For example, for the Council meeting of 23 June 2010, a total of 10 contract security guards were engaged to strengthen the security support inside the LegCo Building.

Latest challenges faced by the Security Office

8. We notice that in recent years, the increase in the level of public participation, and the changes in the form of demonstration activities undertaken by members of the public as well as Members' behaviour at meetings have presented much heavier demand on the security service provided by security staff. In the past 13 months, six security staff were injured on duty on seven occasions. Four of them are still receiving treatment. This further confirms the urgent need to make corresponding changes in security tactics, strategies, deployment and

training of security staff so as to provide a professional and well equipped team to ensure safety of users of the LegCo premises and to maintain order in the precincts of the Chamber.

9. A comprehensive review is being carried out with the assistance of the professional security consultant in the Security Bureau. The review covers an assessment of the security risks in the new LegCo Complex at Tamar and proposals to strengthen the command structure and establishment of the Security Office so as to deal with the challenges ahead. In the meantime, the Secretariat has also reviewed the training needs of the security staff to ensure that they are able to take prompt and effective actions to deal with possible scenarios that may happen at various locations within the LegCo Building, and the carpark. A proposal on the staffing requirement of the Security Office to be incorporated in the Resource Allocation Exercise 2010 for seeking additional funding in the 2011-2012 financial year will be submitted to The Legislative Council Commission ("the Commission") for its discussion on 12 July 2010.

Employees' benefits

10. We notice that Members are concerned about the insurance coverage and medical benefits currently available to staff. Details are set out below.

Employees' Compensation Insurance

11. Under the Employees' Compensation Ordinance (Cap. 282) ("the ECO"), it is compulsory for an employer (including the Commission) to maintain an Employees' Compensation Insurance Policy ("the EC Policy") with an authorized insurer to cover his full liabilities both under the ECO and at common law.

12. The EC Policy covers the legal liability of an employer which relates to death or bodily injury by accident or disease sustained by an employee arising out of and in the course of the employee's employment. All Secretariat staff are "employees" of the Commission for the purposes of the ECO and the EC Policy.

13. The EC Policy provides indemnity in respect of compensation and damages, the claimant's legal costs and expenses, as well as the Commission's own costs and expenses incurred with the insurer's written consent. The current policy limit of indemnity in respect of claims relating to any one event is HK\$ 400 million inclusive of all costs and expenses. The insurer is entitled to take over and conduct in the Commission's name the defence or settlement of any claim or proceedings against the Commission.

Medical schemes currently available to the Secretariat staff

14. Secretariat staff are employees of the Commission. According to paragraph 10 of the Exchange of Letters signed between the Commission and the Administration in May 2008, the Administration and the Hospital Authority will provide Secretariat staff and their eligible dependants with the same medical and dental services which they provide to civil servants. Existing Secretariat staff and their eligible dependants are entitled to such benefits whether the disease or injury for which they require treatment arises out of their employment or not.

15. As mentioned above, the Commission has also taken out insurance coverage for all employees of the Secretariat in accordance with the ECO. Under the Third Schedule to the ECO, the daily limits of medical expenses payable by the employer to an employee who is injured at work are as follows -

- | | |
|--|---------|
| (a) the medical expenses for each day of stay in the hospital where an employee is given medical treatment as an in-patient: | HK\$200 |
| (b) the medical expenses for each day on which an employee is given medical treatment other than as an in-patient in a hospital: | HK\$200 |
| (c) the medical expenses for each day on which an employee is given medical treatment both as an in-patient in a hospital and other than as an in-patient in a hospital: | HK\$280 |

These amounts, where payable, are covered by the EC Policy subject to the terms and limits set out in the Policy, as explained above.

Advice sought

16. Members are invited to note the paper.

核對表及指引
Check List and Instructions規限獲准進入立法會大樓的人士及其行為的行政指令
(第 382 章，附屬法例 A)
ADMINISTRATIVE INSTRUCTIONS FOR REGULATING
ADMITTANCE AND CONDUCT OF PERSONS
(CAP. 382 sub. leg. A)

如欲確定此乃本成文法則的最新核對表及指引，請參閱第 1 冊內的總核對表及指引第 II 部所載本成文法則的核對表及指引的刊印期數，該刊印期數應與此頁右下角所示的刊印期數相同。

To verify that this is the latest Check List and Instructions for this enactment, please refer to the issue number of Check List and Instructions for this enactment shown in Part II of the Master Check List and Instructions in Volume 1. Such issue number should be the same as the issue number shown at the lower right hand corner of this page.

如欲知悉本成文法則文本切合何時的法律情況，請參閱第 1 冊內的總核對表及指引第 I 部。

To determine how up to date the text of this enactment is, please see Part I of the Master Check List and Instructions in Volume 1.

移去頁數
Withdraw pages

A1 - A4.....
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加插頁數
Insert pages

A1 - A4.....
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目前應有頁數
You should now have pages

A1 - A4.....
A5 - A6.....

刊印期數
Issue number

26
21

制定史

本為 1992 年第 227 號法律公告 — 1993 年第 134 號法律公告，1993 年第 448 號法律公告，1994 年第 174 號法律公告，1995 年第 132 號法律公告，1996 年第(C)22 號法律公告(中文真確本)，1999 年第 91 號法律公告，2000 年第 71 號，2002 年第 23 號

Enactment History

Originally L.N. 227 of 1992 — L.N. 134 of 1993, L.N. 448 of 1993, L.N. 174 of 1994, L.N. 132 of 1995, L.N. (C) 22 of 1996 (Chinese authentic version), L.N. 91 of 1999, 71 of 2000, 23 of 2002

尚未實施 —
無

The following are not yet in operation —
Nil

[附屬法例]

[Subsidiary]

規限獲准進入立法會大樓的人士及其行為的行政指令

ADMINISTRATIVE INSTRUCTIONS FOR REGULATING ADMITTANCE AND CONDUCT OF PERSONS

條次	目錄
	第 I 部
	導言
1.	釋義
	第 II 部
	進入
2.	准許公眾人士進入公眾席
3.	訪客須領取和展示訪客證
4.	進入議員專用範圍的限制
5.	進入主席套房的限制
6.	進入立法會辦事處的限制
7.	進入一般辦事處的限制
8.	使用議員入口的限制
9.	攜帶行李進入會議廳範圍的限制
	第 III 部
	行為
10.	吸煙及進食的限制
11.	遵守秩序的規定
12.	在旁聽席上的行為
	第 IV 部
	提供予報界、電台及電視台的設施
13.	使用記者席的限制
14.	使用電台廣播室及電視室的限制
15.	拍攝的限制
	第 V 部
	緊急情況
16.	從大樓疏散的措施

Section	CONTENTS
	PART I
	PRELIMINARY
1.	Interpretation
	PART II
	ACCESS
2.	Members of the public to be admitted to public galleries
3.	Visitors to obtain and display pass
4.	Restriction on access to areas reserved for Members
5.	Restriction on access to the President's suite
6.	Restriction on access to offices of the Council
7.	Restriction on access to general offices
8.	Restriction on use of Members' entrance
9.	Restriction on carrying baggage into precincts
	PART III
	CONDUCT
10.	Restriction on smoking and eating
11.	Requirement for orderly behaviour
12.	Conduct in galleries
	PART IV
	FACILITIES FOR THE PRESS, RADIO AND TELEVISION
13.	Restriction on use of press gallery
14.	Restriction on use of radio and television rooms
15.	Restriction on taking of photographs
	PART V
	EMERGENCIES
16.	Evacuation of Building

[附屬法例]

規限獲准進入立法會大樓的人士及其行為的行政指令

(2000 年第 71 號第 3 條)

(第 382 章第 8 條)

本行政指令由立法會主席發出。不遵從本指令或不遵從根據本指令所訂立的任何規定者，可被檢控。

(2000 年第 71 號第 3 條)

[1992 年 7 月 10 日]

第 I 部

導言

1. 釋義

在本指令中——

“大樓”(Building)指立法會大樓；(2000 年第 71 號第 3 條)

“公眾席”(public gallery)指在圖則上註明是公眾席的地方；

“立法會人員”(officer of the Council)指秘書或根據主席的命令在會議廳範圍內行事的任何其他人員或人士，包括在會議廳範圍內當值的任何警務人員；(2000 年第 71 號第 3 條)

“立法會辦事處”(office of the Council)指秘書辦事處或任何其他立法會人員的辦事處；(2000 年第 71 號第 3 條)

“主席”(President)指立法會主席或代理主席，包括正在主持立法會會議時的其他立法會議員；(1993 年第 134 號法律公告；2000 年第 71 號第 3 條)

“委員會”(committee)指——

(a) 立法會的任何常設委員會、專責委員會或其他委員會；(2000 年第 71 號第 3 條；2002 年第 23 號第 126 條)

(b) (a) 段所提述的任何委員會的小組委員會；(1994 年第 174 號法律公告)

“委員會會議室”(committee room)指在大樓二樓或三樓，並在圖則上註明是會議室的任何會議室；(2002 年第 23 號第 126 條)

[Subsidiary]

ADMINISTRATIVE INSTRUCTIONS FOR REGULATING ADMITTANCE AND CONDUCT OF PERSONS

(Cap. 382, section 8)

These administrative instructions are issued by the President of the Legislative Council. Failure to comply with these instructions or any requirement made thereunder may render the offender liable to prosecution.

[10 July 1992]

PART I

PRELIMINARY

1. Interpretation

In these instructions—

“Building”(大樓)means the Legislative Council Building;

“Chamber”(會議廳)means the Chamber in which the proceedings of the Council are conducted, and any galleries and places therein provided for members of the public and representatives of the press, radio and television, and includes any lobbies, offices or precincts used exclusively in connection with the proceedings of the Council;

“Clerk”(秘書)means the Clerk to the Legislative Council or any person acting as his deputy; (L.N. 174 of 1994)

“committee”(委員會)means—

(a) a standing or select committee or any other committee of the Council;

(b) a subcommittee of any committee referred to in paragraph (a); (L.N. 174 of 1994)

“committee room”(委員會會議室)means any of the conference rooms on the first or second floor of the Building marked as such on the plan; (23 of 2002 s. 126)

“Council”means the Legislative Council;

[附屬法例]

[Subsidiary]

- “記者席”(press gallery)指在圖則上註明是記者席的地方；
- “秘書”(Clerk)指立法會秘書或任何以其代理身分行事的人；(1994年第174號法律公告；2000年第71號第3條)
- “會議廳”(Chamber)指供立法會進行會議程序的會議廳，以及其內為公眾人士與報界、電台及電視台的代表而提供的任何旁聽席及地方，包括為與立法會之會議程序有關的用途而專用的任何大堂、辦事處或範圍；(2000年第71號第3條)
- “會議廳範圍”(precincts of the Chamber)指會議廳及立法會辦事處及毗鄰的旁聽席，以及供公眾人士與報界、電台及電視台的代表使用或用以容納他們的地方，而除主席作出例外規定者外，在立法會或任何委員會舉行會議當日全部時間，此詞亦包括在圖則上註明是會議廳範圍的地方；(1994年第174號法律公告；2000年第71號第3條)
- “圖則”(plan)指經秘書註明和簽署，並存放於秘書辦事處的大樓圖則；
- “議員”(Member)指立法會議員。(1993年第134號法律公告；2000年第71號第3條)

- “Member”(議員) means a Member of the Legislative Council; (*L.N. 134 of 1993*)
- “office of the Council”(立法會辦事處) means the office of the Clerk or of any other officers of the Council; (*71 of 2000 s. 3*)
- “officer of the Council”(立法會人員) means the Clerk or any other officer or person acting within the precincts of the Chamber under the orders of the President, and includes any police officer on duty within the precincts of the Chamber; (*71 of 2000 s. 3*)
- “plan”(圖則) means the plan of the Building marked and signed by the Clerk and deposited in the office of the Clerk;
- “precincts of the Chamber”(會議廳範圍) means the Chamber and offices of the Council and any adjacent galleries, and places provided for the use or accommodation of members of the public and representatives of the press, radio and television, and subject to any exceptions made by the President includes, during the whole of any day the Council or a committee is sitting, the area marked as such on the plan; (*L.N. 174 of 1994*)
- “President”(主席) means the President of the Council or President's deputy, and includes any other Member of the Council when presiding at a sitting of the Council; (*L.N. 134 of 1993*)
- “press gallery”(記者席) means a press gallery marked as such on the plan;
- “public gallery”(公眾席) means a public gallery marked as such on the plan.

第 II 部

PART II

進入

ACCESS

2. 准許公眾人士進入公眾席

每當立法會或任何委員會在會議廳或委員會會議室舉行公開會議時，公眾人士可獲准進入公眾席。

(2000年第71號第3條)

2. Members of the public to be admitted to public galleries

Members of the public may be admitted to a public gallery whenever the Council or a committee is sitting in public in the Chamber or in a committee room.

3. 訪客須領取和展示訪客證

除列席立法會或任何委員會公開會議的訪客外，所有進入會議廳範圍的訪客均須向立法會人員申領訪客證，並須於逗留在會議廳範圍內的時間一直予以展示。

(2000年第71號第3條)

3. Visitors to obtain and display pass

Visitors to the precincts of the Chamber, other than those attending public sittings of the Council or a committee, shall apply to an officer of the Council for a pass, and shall display the pass at all times when within the precincts of the Chamber.

4. 進入議員專用範圍的限制

(1) 除議員或立法會人員外，任何人未經主席准許，不得進入在圖則上註明是前廳的地方或任何委員會會議室。

(2) 除議員或立法會人員外，任何人未經議員或秘書准許，不得進入在圖則上註明是議員室或議員社交宴會範圍的地方。

(1995 年第 132 號法律公告；2000 年第 71 號第 3 條)

5. 進入主席套房的限制

任何人未經主席或秘書准許，不得進入主席套房。

6. 進入立法會辦事處的限制

除議員或立法會人員外，任何人未經立法會人員、議員或主席准許，不得進入立法會的任何辦事處。

(2000 年第 71 號第 3 條)

7. 進入一般辦事處的限制

除議員或立法會人員外，任何人未經議員或一般辦事處的獲授權職員准許，不得進入在圖則上註明是一般辦事處的地方。

(2000 年第 71 號第 3 條)

8. 使用議員入口的限制

立法會或委員會舉行會議時，除主席、議員、秘書、立法機關法律顧問或獲上述任何人士許可的人外，任何人不得使用位於昃臣道的議員入口進出大樓，亦不得使用毗鄰該入口的升降機。

(2000 年第 71 號第 3 條；2002 年第 23 號第 126 條)

9. 攜帶行李進入會議廳範圍的限制

(1) 除議員或立法會人員，或獲議員或立法會人員許可的人外，任何人不得攜帶行李進入會議廳範圍，但手袋或類似物品除外，而報界、電台及電視台的代表則可攜帶錄音機及攝影機。

(2) 第 (1) 款所適用的人，如在進入會議廳範圍時或在內逗留時，攜帶手袋或類似物品，則在立法會人員要求下，須准許該人員搜查該手袋或類似物品。

(2000 年第 71 號第 3 條)

4. Restriction on access to areas reserved for Members

(1) No person other than a Member or an officer of the Council shall enter the antechamber marked as such on the plan or any committee room without the permission of the President.

(2) No person other than a Member or an officer of the Council shall enter any of the Members' rooms, or the Members' social and dining area, marked as such on the plan, without the permission of a Member or the Clerk.

(L.N. 132 of 1995)

5. Restriction on access to the President's suite

No person shall enter the President's suite without the permission of the President or the Clerk.

6. Restriction on access to offices of the Council

No person other than a Member or an officer of the Council shall enter any office of the Council without the permission of an officer of the Council or a Member or the President.

7. Restriction on access to general offices

No person other than a Member or an officer of the Council shall enter any general office marked as such on the plan without the permission of a Member or an authorized member of the staff of such office.

8. Restriction on use of Members' entrance

When the Council or a committee is sitting no person shall enter or leave the Building by the Members' entrance on Jackson Road or use the adjacent lift except the President, a Member, the Clerk, the Counsel to the Legislature or any person authorized by one of those persons.

9. Restriction on carrying baggage into precincts

(1) No person other than a Member or an officer of the Council or a person authorized by a Member or an officer of the Council shall carry any item of baggage other than a handbag or similar item into the precincts of the Chamber, but representatives of the press, radio and television may carry tape recorders and cameras.

(2) Any person to whom subsection (1) applies who is carrying a handbag or similar item into or within the precincts of the Chamber shall, if so requested by an officer of the Council, permit such officer to search such handbag or similar item.

[附屬法例]

[Subsidiary]

第 III 部

PART III

行為

CONDUCT

10. 吸煙及進食的限制

- (1) 任何人不得在大樓內吸煙。 (1999 年第 91 號法律公告)
- (2) (由 1999 年第 91 號法律公告廢除)
- (3) 任何人不得——
 - (a) 於立法會或任何委員會舉行會議時在會議廳內進食；或 (2000 年第 71 號第 3 條)
 - (b) 於任何委員會或小組委員會開會時，在委員會會議室內進食，但如該委員會的主席准許則除外。

(1993 年第 448 號法律公告)

11. 遵守秩序的規定

進入會議廳範圍或在內逗留的人均須遵守秩序，並須遵從立法會人員為維持秩序而發出的任何指示。

(2000 年第 71 號第 3 條)

12. 在旁聽席上的行為

- (1) 在記者席或公眾席上，任何人不得展示任何標誌、標語或橫幅。
- (2) 在記者席或公眾席上，任何人不得展示在任何衣物上的標誌或標語。
- (3) 任何人展示標誌、標語或橫幅，或展示在任何衣物上的標誌或標語，或立法會人員認為該人會展示標誌、標語或橫幅，或會展示在衣物上的標誌或標語，又或會作出其他不檢的行為，立法會人員可拒絕讓他進入記者席或公眾席。 (2000 年第 71 號第 3 條)
- (4) 立法會人員可暫時保管獲准進入記者席或公眾席的人所交出的任何物品。 (2000 年第 71 號第 3 條)

10. Restriction on smoking and eating

- (1) No person shall smoke in the Building. (L.N. 91 of 1999)
- (2) (Repealed L.N. 91 of 1999)
- (3) No person shall eat—
 - (a) inside the Chamber while the Council or a committee is sitting; or
 - (b) in a committee room while a committee or subcommittee is in session, unless the chairman permits eating to take place.

(L.N. 448 of 1993)

11. Requirement for orderly behaviour

Persons entering or within the precincts of the Chamber shall behave in an orderly manner and comply with any direction given by any officer of the Council for the purpose of keeping order.

12. Conduct in galleries

- (1) No person shall, in a press or public gallery, display any sign, message or banner.
- (2) No person shall, in a press or public gallery, display any sign or message on any item of clothing.
- (3) An officer of the Council may refuse admission to a press or public gallery to any person displaying any sign, message or banner, or to any person displaying any sign or message on any item of clothing, or to any person who, in the opinion of an officer of the Council, may so display any sign, message or banner, may so display any sign or message on any item of clothing or may otherwise behave in a disorderly manner.
- (4) An officer of the Council may take into his temporary custody any item surrendered by any person admitted to a press or public gallery.

[附屬法例]

第 IV 部

提供予報界、電台及電視台的設施

13. 使用記者席的限制

(1) 除報界、電台或電視台的代表，立法會人員或經秘書許可的人外，任何人不得進入或使用記者席。

(2) 報界、電台或電視台的代表只可在立法會或委員會在會議廳或在設有記者席的委員會會議室舉行會議時，進入或使用記者席。

(2000 年第 71 號第 3 條)

14. 使用電台廣播室及電視室的限制

除議員或立法會人員或經秘書許可的人外，任何人不得進入或使用—— (2000 年第 71 號第 3 條)

- (a) 在會議廳或大樓三樓，並在圖則上註明是電台廣播室的房間；或
- (b) 在大樓閣樓，並在圖則上註明是電視室的房間，或在會議廳內或大樓閣樓，並在圖則上註明是電視或攝影機拍攝點的地方。

15. 拍攝的限制

立法會或任何委員會舉行會議時—— (2000 年第 71 號第 3 條)

- (a) 任何人不得拍攝會議程序，但如經秘書許可並從其指定的位置進行拍攝，則屬例外；
- (b) 不准在會議廳或委員會會議室內使用閃光燈進行拍攝。

第 V 部

緊急情況

16. 從大樓疏散的措施

如有須從大樓疏散的命令發出，則除因職責所需留下的人員外，所有人須立即離開大樓，而在此情況下，不得使用升降機。

[Subsidiary]

PART IV

FACILITIES FOR THE PRESS, RADIO AND TELEVISION

13. Restriction on use of press gallery

(1) No person other than a representative of the press, radio or television, an officer of the Council or a person authorized by the Clerk, shall enter or make use of a press gallery.

(2) Representatives of the press, radio or television may enter or make use of a press gallery only when the Council or a committee is sitting in the Chamber or in a committee room where that gallery is situated.

14. Restriction on use of radio and television rooms

No person other than a Member or an officer of the Council or a person authorized by the Clerk, shall enter or make use of—

- (a) any radio room in the Chamber, or on the second floor of the Building, marked as such on the plan; or
- (b) any television room on the mezzanine floor of the Building, or any television or camera point in the Chamber or on the mezzanine floor of the Building, marked as such on the plan.

15. Restriction on taking of photographs

During a sitting of the Council or a committee—

- (a) no person shall take any photograph of the proceedings except if authorized by and from a position designated by the Clerk;
- (b) flash photography is not permitted in the Chamber or in a committee room.

PART V

EMERGENCIES

16. Evacuation of Building

If the order is given to evacuate the Building all persons except persons whose duties require them to remain shall leave the Building immediately, but lifts shall not be used in such circumstances.