

香港特別行政區政府  
保安局



The Government of the  
Hong Kong Special Administrative Region  
Security Bureau

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**BY FAX**  
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7 December 2011

Mr Bonny Loo  
Assistant Legal Adviser  
Legal Service Division  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong

Dear Mr Loo,

### **Frontier Closed Area (Amendment) Order 2011**

I refer to your letter dated 5 December 2011 regarding the Frontier Closed Area (Amendment) Order 2011 ("the Amendment Order"). Our response to the issues raised is set out in the ensuing paragraphs seriatim –

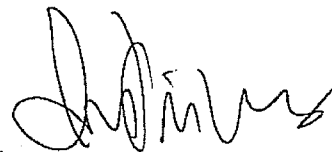
#### Plans annexed to the Schedule to the Amendment Order

- (a) It is considered not necessary to insert a status provision for the notes. Note 1 states the grid system on which the coordinates listed in the Schedule are based. In this regard, it is unambiguous that this note has legislative effect. Note 5, however, specifies that the plans annexed to the Schedule are provided for information only. As notes 2 to 4 only provide further explanation to the plans, it is clear that these notes are provided for information only.

- (b) The actual approach for describing an area in legislation may vary depending on the circumstances of each case. For the Amendment Order, the reduced Frontier Closed Area is clearly identified by reference to items 1 and 2 and the 65 points with their coordinates listed in the table in the Schedule. It is therefore not necessary for the plans to be included as an integral part of the description of the reduced Frontier Closed Area in the Amendment Order.

Chinese text of the Schedule

- (c)(i) According to section 2 of the Frontier Closed Area Order (Cap. 245 sub. leg. A), the area specified in the Schedule to the Order is declared to be a closed area. Although a different rendition (地方) is being used for the word “area” in item 1 of the new Schedule, the description of the area concerned and the legal effect of the declaration are in no way affected.
- (c)(ii) According to “YingYongHanYuCiDian” (《應用漢語詞典》), “山嶺” means “有道路可通的山頂”. It is therefore considered appropriate to render “summit” as “山嶺”.
- (c)(iii) The name “Lok Ma Chau Boundary Control Point” is being used in the remarks column for Point 50. The same name is used in the Frontier Closed Area (Permission to Enter) Notice (Cap. 245, sub. leg. H) and the Import and Export (Electronic Cargo Information) Regulation (Cap. 60, sub. leg. L). For the sake of consistency, “Boundary” is also used when reference is made to the control point at Lok Ma Chau Spur Line in the remarks column for Point 59. On the other hand, the Chinese name “落馬洲支線管制站” is being used in other existing legislation (Frontier Closed Area (Permission to Enter) Notice (Cap. 245, sub. leg. H), Immigration Service (Designated Places) Order (Cap. 331, sub. leg. B) and Immigration (Places of Detention) Order (Cap. 115, sub. leg. B)) and so “邊境” is not being added.



(Ms Veronica Wong)  
for Secretary for Security

c.c.

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