

For information

**Sub-Committee on
Frontier Closed Area (Amendment) Order 2011**

**Response to issues raised at the Sub-Committee meeting
held on 16 December 2011**

Purpose

At the Sub-committee meeting held on 16 December 2011, Members requested the Administration to provide supplementary information in respect of the Frontier Closed Area (Amendment) Order 2011. This note provides the information requested by Members.

Closed Area Permits

2. The Public Order Ordinance (Cap. 245) sets out that any person who enters or leaves a closed area is required to possess a valid authorized permit. The Public Order Ordinance also states that the Commissioner of Police or his authorized public officer may issue a permit to allow any person who needs to enter or leave the closed area. In general, persons who are able to show a need to enter a closed area to the satisfaction of the Police, such as those who live or work within the closed area, will be considered for the issue of permits. Persons on board vessels entering or leaving a closed area are therefore required to have valid Closed Area Permits.

3. The Marine Police have set up a check point at Sha Tau Kok Hoi for inspection of vessels entering and leaving the Frontier Closed Area. At present, general applications for Closed Area Permits are handled by the Closed Area Permit Office at Sheung Shui Police Station during office hours. Additionally, renewal of resident Closed Area Permit and application for Closed Area Permit for ad hoc purpose can be processed at Sha Tau Kok Police Station. Upon the reduction of the Frontier Closed Area in February 2012, the Police will expand its service and set up a Closed Area Permit Office at the Sha Tau Kok Checkpoint between 1000 hrs and 1230 hrs from Monday to Friday (except Public Holidays) to handle applications from local residents (including fishermen) for Closed Area Permits. Applicants can arrange advance bookings with the

Police for processing of the applications. The Police will continue to liaise with local fishermen to keep in view their need for Closed Area Permits.

Note 1 to the new Schedule

4. Note 1 contains information as to the system on which the coordinates used in the Schedule are based. To understand the coordinates in the Schedule that set out the boundary of the reduced Frontier Closed Area, this piece of information must be taken into account.

5. While the approach taken in the Order achieves the desired purpose as set out in paragraph 4 above, the Assistant Legal Adviser to the Subcommittee suggested that Note 1 be placed at a location where the coordinates appear so that readers could easily understand what the coordinates mean. Members of the Subcommittee generally agree with this suggested approach.

6. After considering the views of the Subcommittee, the Administration agrees that the approach suggested by the Assistant Legal Adviser is a viable alternative in achieving the desired purpose. In this regard, the Administration will move a motion to amend the Order by deleting Note 1 and adding a new section 3 to the Schedule, the substance of which being the same as Note 1. As a consequence, Notes 2 to 5 will be renumbered accordingly as Notes 1 to 4.

December 2011
Security Bureau