

## LEGISLATIVE COUNCIL BRIEF

### **Rehabilitation Centres Ordinance (Cap. 567) Rehabilitation Centres (Appointment) (Amendment) Order 2014**

### **Training Centres Ordinance (Cap. 280) Training Centre (Consolidation) (Amendment) Declaration 2014**

### **Prisons Ordinance (Cap. 234) Prisons (Amendment) Order 2014**

## INTRODUCTION

The Secretary for Security has made two Amendment Orders and one Amendment Declaration under section 3 of the Rehabilitation Centres (“RC”) Ordinance (Cap. 567), section 3(2) of the Training Centres (“TC”) Ordinance (Cap. 280) and section 4(a) of the Prisons Ordinance (Cap. 234) respectively to make the following changes to the designation of specified penal premises:

- (a) swapping of the location of Lai Chi Rehabilitation Centre (“LCRC”) and the premises currently used as prison in Sha Tsui Correctional Institution (“STCI”) (by amending Schedule 1 to the RC (Appointment) Order (Cap. 567B) (**Annex A**) and Schedule to the Prisons Order (Cap. 234B) (**Annex B**)).
- (b) formally ceasing the function of TC of designated premises of STCI (by amending Schedule to the TC (Consolidation) Declaration (Cap. 280B) (**Annex C**)).

## BACKGROUND AND JUSTIFICATIONS

2. STCI is currently multi-functional. The whole STCI is designated as prison while some parts of it are at the same time designated as Detention Centre (“DC”) or TC. In particular, the place and buildings situated at 36 Shek Pik Reservoir Road, Lantau Island (except those parts of the buildings that are known as Blocks A, B and F) are designated as TC. In view of the decreasing number of young male persons sentenced to TC in the recent years, the

Correctional Services Department (CSD) has been using the TC premises for the purpose of prison instead since October 2010 instead. As the parts in STCI currently used as prison can only provide 90 places for young male prisoners and are insufficient to cope with the rising number of such prisoners, a larger site for prison use is required. It is also suggested that STCI should formally cease its function as TC because it is no longer used for such a purpose. The premises currently designated as DC will not be affected under the proposal.

3. LCRC is currently the only institution used to detain young male persons in custody who have to undergo the first phase of training (from 2 to 5 months) under the RC Ordinance. It provides 160 penal places. As the average daily occupancy rate of LCRC was only about 32.8% in 2012, it is suggested that LCRC should be moved to a smaller site, i.e. premises of STCI which are currently used as prison.

4. Under the proposal, LCRC and the parts of STCI currently used as prison will be swapped in terms of their location. In other words, the young prisoners currently accommodated in STCI will be transferred to the original site of LCRC, which has to be set apart as a prison and will be re-named Tai Tam Gap Correctional Institution; persons of custody of the LCRC will be relocated to the premises of STCI, which are currently used as prison and the concerned premises will be re-designated as LCRC.

## **THE AMENDMENT ORDERS**

5. The Amendment Orders and Amendment Declaration (at **Annexes A to C**) are to –

- (i) amend the address of LCRC in the Schedule 1 to the RC (Appointment) Order (Cap. 567B);
- (ii) include “Tai Tam Gap Correctional Institution” in the Schedule to the Prisons Order (Cap. 234B); and
- (iii) repeal “the place and buildings situated at 35 Shek Pik Reservoir Road, Lantau Island, except those parts of the buildings that are known as Blocks A, B and F” from the Schedule to the TC (Consolidation) Declaration (Cap. 280B).

Subject to negative vetting of the Legislative Council (LegCo), the Amendment Orders and Amendment Declaration are to commence on 26 March 2014.

## **LEGISLATIVE TIMETABLE**

6 The Amendment Orders and Amendment Declaration will be published in the Gazette on 17 January 2014 and tabled at the LegCo on 22 January 2014.

## **IMPLICATIONS OF THE PROPOSAL**

7. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the relevant legislations. It has no economic, productivity, environmental or sustainability implications. The workload and financial implications arising from the implementation of the Amendment Orders and Amendment Declaration will be absorbed from within the existing resources of CSD.

## **PUBLICITY**

8. A spokesman will be arranged to answer media and public enquiries.

## **ENQUIRIES**

9. Any enquiries on this brief should be addressed to Ms Bella Mui, Principal Assistant Secretary for Security (Telephone: 2810 3435, Facsimile: 2868 9159).

**Security Bureau**  
**January 2014**

## Rehabilitation Centres (Appointment) (Amendment) Order 2014

(Made by the Secretary for Security under section 3 of the Rehabilitation Centres Ordinance (Cap. 567))

### 1. Commencement

This Order comes into operation on 26 March 2014.

### 2. Rehabilitation Centres (Appointment) Order amended

The Rehabilitation Centres (Appointment) Order (Cap. 567 sub. leg. B) is amended as set out in section 3.

### 3. Schedule 1 amended (rehabilitation centre under section 3(a) of the Ordinance)

(1) Schedule 1—

**Repeal item 4.**

(2) Schedule 1—

**Add**

"5. Lai Chi Rehabilitation Centre (the place and buildings situated at 35 Shek Pik Reservoir Road, Lantau Island, except those parts of the buildings that are known as Blocks A, B and F)".

Secretary for Security

13 - 1 - 2014

**Explanatory Note**

The Lai Chi Rehabilitation Centre now situated at the junction of Shek O Road and Cape Collinson Road at the place known as Dragon's Back will be relocated to certain parts of the place and buildings situated at 35 Shek Pik Reservoir Road, Lantau Island.

2. This Order amends Schedule 1 to the Rehabilitation Centres (Appointment) Order (Cap. 567 sub. leg. B) to—
  - (a) cease the appointment of the Lai Chi Rehabilitation Centre at its present location as a rehabilitation centre; and
  - (b) appoint the relocated Lai Chi Rehabilitation Centre as a rehabilitation centre.



**Explanatory Note**

This Order sets apart the Tai Tam Gap Correctional Institution as a prison. The Schedule to the Prisons Order (Cap. 234 sub. leg. B) is amended accordingly.

**Training Centre (Consolidation) (Amendment)  
Declaration 2014**

(Made by the Secretary for Security under section 3 of the Training Centres Ordinance (Cap. 280))

**1. Commencement**

This Declaration comes into operation on 26 March 2014.

**2. Training Centre (Consolidation) Declaration amended**

The Training Centre (Consolidation) Declaration (Cap. 280 sub. leg. B) is amended as set out in section 3.

**3. Schedule amended**

The Schedule—

**Repeal item 10.**

  
Secretary for Security

13-1-2014

**Explanatory Note**

This Declaration amends the Schedule to the Training Centre (Consolidation) Declaration (Cap. 280 sub. leg. B) so that the following premises cease to be used for the purposes of a training centre: the place and buildings situated at 35 Shek Pik Reservoir Road, Lantau Island, except those parts of the buildings that are known as Blocks A, B and F.