

LEGISLATIVE COUNCIL BRIEF

Frontier Closed Area Order (Chapter 245A)
Frontier Closed Area (Permission to Enter) Notice (Chapter 245H)

Frontier Closed Area (Amendment) Order 2015 Frontier Closed Area (Permission to Enter) (Amendment) Notice 2015

INTRODUCTION

A At the meeting of the Executive Council on 27 October 2015, the Council **ADVISED** and the Chief Executive **ORDERED** that the Frontier Closed Area (Amendment) Order 2015 (“the Amendment Order”) at **Annex A** should be made under section 36 of the Public Order Ordinance (Cap. 245) (“the Ordinance”). The Amendment Order specifies the new boundary of the frontier closed area (“FCA”) following the third stage of FCA reduction.

2. As the Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) (“the Notice”) makes reference to certain locations on the FCA boundary, the Frontier Closed Area (Permission to Enter) (Amendment) Notice B 2015 (“the Amendment Notice”) at **Annex B** should also be made by the Commissioner of Police under section 38A(1) of the Ordinance to make consequential amendments to the Notice.

JUSTIFICATIONS

3. The coverage of the FCA is specified in the Schedule to the Frontier Closed Area Order (Cap. 245 sub. leg. A) (“the Order”) made under section 36 of the Ordinance.

4. Following a wide consultation exercise, the Government announced in January 2008 the plan to substantially reduce the land coverage of the FCA from about 2,800 hectares to about 400 hectares. The reduced FCA would cover only the Police’s boundary patrol road (“BPR”) and the land to its north, the boundary-crossing facilities, Sha Tau Kok town, the Starling Inlet, and parts of

Mai Po. The exercise seeks to reduce the FCA to the minimum necessary for the protection of public order and boundary security, obviating the need for local residents and visitors alike to obtain Closed Area Permits (“CAP”) to access the area.

5. In order to maintain the effectiveness of the reduced FCA, we need to construct a secondary boundary fence (“SBF”) on the southern edge of most parts of the BPR and in some areas, build new sections of BRP with new primary and secondary boundary fences. The FCA reduction is implemented in three phases in accordance with the progress of construction of the SBF and new BPR sections. The first and second stages of the FCA reduction, covering the entirety of the boundary except the part between River Indus (Ng Tung River) and Lin Ma Hang, were implemented on 15 February 2012 and 10 June 2013 respectively, following the necessary legislative amendments to the Order. A map showing the original FCA boundary and the areas to be excised in different stages is at **Annex C**.

6. The construction works between River Indus (Ng Tung River) and Lin Ma Hang have been completed. We propose to give legal effect to the reduced FCA by making the Amendment Order, which will take effect on 4 January 2016. This will excise more than 900 hectares of land from the existing FCA. This will also bring the whole FCA reduction exercise to completion.

7. The Notice gives permission for certain classes of persons (primarily cross-boundary travellers) to enter the FCA without obtaining a CAP. It makes reference to certain locations on the boundary of the FCA to specify the exact route that vehicles carrying cross-boundary travellers must take when entering or leaving the FCA, in order for the drivers and passengers to qualify for the CAP exemption. As we change the boundary of the FCA, we need to make consequential amendments to the corresponding references in the Notice. The opportunity is also taken to make some technical amendments to the Notice.

8. To tie in with this stage of FCA reduction, the Transport Department will arrange for a gazette notice to be published under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) to lift the closed road restriction within the area to be excised from the FCA.

THE AMENDMENT ORDER

9. The Amendment Order seeks to specify the new boundary of the reduced FCA. The relevant coordinates and plans in the Schedule to the Order are revised by the Amendment Order.

D 10. The existing provisions of the Order are at **Annex D**.

THE AMENDMENT NOTICE

11. The Amendment Notice revises the description in the Notice of the routes that cross-boundary vehicles via the Man Kam To Boundary Control Point (which lies on the boundary covered by the third stage of FCA reduction) must take. The description in the Notice forms part of the condition that the drivers and passengers entering or leaving Hong Kong via the Man Kam To Boundary Control Point must comply with. The Amendment Notice also makes two technical amendments, as follows:

- a) Under section 65 of the Road Traffic Ordinance (Cap. 374), any police officer in uniform may require the person in charge of any motor vehicle (a driver) to proceed with the vehicle to a weigh-bridge for the purpose of allowing the vehicle to be weighed. There are weigh-bridges set up by the Police at the boundary control points, which are within the FCA. Currently, these weigh-bridges are used for weighing vehicles intercepted at or near the boundary control points and within the FCA. With the substantial reduction of the FCA, it is proposed that these weigh-bridges should be used for weighing not only vehicles intercepted at the boundary control points (within the FCA) but also those in the vicinity (outside the FCA). In order to obviate the need for the drivers and passengers of the latter class of vehicles to obtain CAPs to enter the FCA for the purpose of allowing such weighing, the Amendment Notice adds to the Notice these drivers and passengers as a new class of persons that, subject to certain conditions, are permitted to enter the FCA without obtaining a CAP; and
- b) The Notice refers to a road section near the Lok Ma Chau Spur Line Control Point as “an unnamed road”. The road section has recently been renamed as “Lok Ma Chau Road”. The Amendment Notice amends the Notice to update the road name.

E 12. The existing provisions of the Notice are at **Annex E**.

LEGISLATIVE TIMETABLE

13. The legislative timetable is as follows –

Publication in the Gazette	6 November 2015
Tabling at the Legislative Council	11 November 2015
Commencement	4 January 2016

IMPLICATIONS OF THE PROPOSAL

14. The proposal has economic and environmental implications as set out at F **Annex F**. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It has no financial, productivity and civil service implications. It will not affect the binding effect of the Ordinance and its subsidiary legislation. There is no sustainability implication other than those set out in Annex F.

PUBLIC CONSULTATION

15. We consulted the LegCo Panel on Security (“the Panel”), Heung Yee Kuk, the Town Planning Board, the Advisory Council on the Environment, North and Yuen Long District Councils, and the relevant Rural Committees (Ta Kwu Ling, Sha Tau Kok, Sheung Shui and San Tin) on the results of the FCA review in 2006. After taking into account the views received, the Government proposed to further expand the area to be excised from the FCA to include Lok Ma Chau Loop (“the Loop”) and the adjacent Hoo Hok Wai. The Panel, Heung Yee Kuk, and the relevant Rural Committees were subsequently further consulted. Overall, the consulted parties were supportive of the FCA reduction, the timetable of implementation and the construction works. The North District Council and the relevant Rural Committees were again informed recently of the implementation time and related arrangements of the third stage of FCA reduction. They made no adverse comment.

PUBLICITY

16. A press release will be issued before the implementation date. A spokesman will be made available to handle press enquires.

BACKGROUND

17. Section 36 of the Ordinance provides that the Chief Executive may, where he reasonably believes that it is necessary for the protection of national security or public safety, or the protection of public order or public health, by order declare any area or place to be a closed area. The FCA, declared under this provision, is an integral part of the security measures for maintaining the integrity of the boundary between Hong Kong and the Mainland, and for combating illegal immigration and other cross-boundary criminal activities. The Police controls access to the FCA through the issue of CAP based on the applicants' actual needs to enter the FCA.

18. We conducted a review of the FCA coverage in 2003 and concluded that, save for specific areas such as Sha Tau Kok Town and the boundary-crossing facilities, the land south of the BPR could be excised from the FCA. In March 2003, the Executive Council endorsed the review results. In December 2007, the Executive Council endorsed the final plan of the FCA reduction (with the Loop and Hoo Hok Wai included as areas to be excised), which was announced in January 2008.

ENQUIRIES

19. Enquiries on this brief should be directed to Mr Vic Yau, Principal Assistant Secretary for Security at 2810 2329.

Security Bureau
October 2015

Frontier Closed Area (Amendment) Order 2015

(Made by the Chief Executive under section 36 of the Public Order Ordinance (Cap. 245) after consultation with the Executive Council)

1. **Commencement**
This Order comes into operation on 4 January 2016.
2. **Frontier Closed Area Order amended**
The Frontier Closed Area Order (Cap. 245 sub. leg. A) is amended as set out in section 3.
3. **Schedule amended**
 - (1) The Schedule, section 1—
Repeal
“74” (wherever appearing)
Substitute
“85”.
 - (2) The Schedule—
Repeal everything after section 3
Substitute

“Table

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
1	839637	821002	From there NORTHEAST following a line of bearing 61° until it stops at the centre line of the Shenzhen River, then EAST following the centre line of the Shenzhen River and the boundary of the administrative division of the Hong Kong Special Administrative Region of the People’s Republic of China to Point 2.
2	844880	842107	From there NORTHEAST following the mouth of Sha Tau Kok Hoi (Starling Inlet) to Point 3.
3	845333	842310	From there NORTHEAST across Sha Tau Kok Hoi (Starling Inlet) to Point 4.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
4	845602	843042	From there SOUTH following the coast line of Sha Tau Kok Hoi (Starling Inlet) along the high water mark to Point 5, which is the western edge of the pier.
5	844898	840799	From there NORTH following the western edge of the pier to Point 6, which is located at the junction of the pier edge and the fence.
6	844913	840799	From there EAST across a road following the fence to Point 7, which is located at the northern end of the fence.
7	845056	840788	From there NORTHWEST across Sha Tau Kok Road—Shek Chung Au to Point 8.
8	845071	840786	From there NORTHWEST following the fence to Point 9, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
9	845125	840785	From there NORTHWEST following the fence to Point 10, which is located at the junction of the fences.
10	845342	840925	From there NORTHEAST following the fence to Point 11, which is located at the junction of the fences.
11	845626	840988	From there NORTHWEST following Shan Tsui Village Road to Point 12.
12	845637	840949	From there NORTHWEST following the fence to Point 13.
13	846136	837026	From there NORTHWEST following the fence to Point 14.
14	846021	836693	From there NORTHWEST following the bottom of the slope to Point 15.
15	846046	836641	From there NORTHWEST following the fence to Point 16, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
16	846393	836301	From there NORTHEAST following the fence to Point 17, which is located at the junction of the fences.
17	846396	836313	From there NORTHEAST following the fence to Point 18, which is located at the junction of the fences.
18	846602	835737	From there NORTHWEST following the fence to Point 19, which is located at the junction of the fences.
19	846581	834844	From there NORTHWEST following the fence to Point 20, which is located at the junction of the fences.
20	846036	834085	From there WEST following the fence to Point 21, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
21	846045	833965	From there WEST following the fence to Point 22.
22	845621	833580	From there SOUTHWEST following the fence and the gate to Point 23, which is located at the junction of the fences.
23	844579	832783	From there NORTHWEST following the fence to Point 24, which is located at the junction of the fences.
24	844742	832512	From there SOUTHWEST following the gate and the fence to Point 25, which is located at the junction of the fences.
25	844610	831569	From there NORTHWEST following the fence to Point 26, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
26	844618	831548	From there SOUTHWEST following the fence to Point 27, which is located at the junction of the fences.
27	844524	831431	From there SOUTHWEST following the fence to Point 28, which is located at the junction of the fences.
28	844364	831181	From there SOUTHEAST following the fence to Point 29.
29	844175	831499	From there NORTHEAST following a straight line to Point 30.
30	844189	831520	From there SOUTHEAST following the fence to Point 31.
31	844182	831536	From there SOUTHEAST following the edge of the structure to Point 32.
32	844179	831542	From there NORTHEAST following a straight line to Point 33.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
33	844186	831547	From there SOUTHEAST following the edge of the stream to Point 34.
34	844096	831611	From there SOUTHEAST following a straight line to Point 35.
35	844089	831616	From there SOUTHEAST following the edge of the structure to Point 36.
36	844032	831632	From there SOUTHEAST following the wall to Point 37.
37	844031	831637	From there SOUTHEAST following the edge of the structure to Point 38.
38	844028	831637	From there SOUTHEAST following the bottom of the slope to Point 39.
39	843997	831651	From there SOUTHWEST following the fence to Point 40.
40	843959	831637	From there SOUTHWEST following a straight line to Point 41.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
41	843958	831635	From there NORTHWEST following a straight line to Point 42.
42	843981	831630	From there NORTHWEST following the road kerb to Point 43.
43	844055	831592	From there NORTHWEST following a straight line to Point 44.
44	844063	831574	From there SOUTHWEST following the road kerb to Point 45.
45	844053	831557	From there SOUTHWEST following a straight line to Point 46.
46	844032	831554	From there NORTHWEST following the road kerb to Point 47.
47	844063	831444	From there NORTHWEST across a road to Point 48, where the end of the fence situates.
48	844065	831433	From there NORTHWEST following the fence to Point 49.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
49	844254	831185	From there NORTHWEST following the bottom of the slope to Point 50.
50	844304	831144	From there NORTHWEST following the fence and the bottom of the slope to Point 51, which is located at the junction of the fences.
51	844358	831011	From there SOUTHWEST following the fence to Point 52, which is located at the junction of the fences.
52	844158	830834	From there NORTHWEST following the fence to Point 53, which is located at the junction of the fences.
53	844162	830831	From there WEST following the fence to Point 54, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
54	843638	830099	From there SOUTHWEST following the fence to Point 55, which is located at the junction of the fences.
55	843402	829856	From there SOUTHWEST following the fence to Point 56.
56	843388	829824	From there SOUTHEAST following a straight line to the building corner of the Lo Wu Control Point and following the building edge of the Lo Wu Control Point to Point 57.
57	843242	829767	From there WEST following the subway entrance to Point 58.
58	843242	829764	From there NORTH following the building edge of the Lo Wu Control Point to Point 59.
59	842954	829788	From there SOUTHEAST following the fence to Point 60, which is located at the northern edge of the pavement.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
60	842879	829815	From there SOUTHWEST following the northern edge of the pavement underneath the bridge to Point 61, which is located at the junction of the northern edge of the pavement and the river bank of River Indus.
61	842870	829799	From there NORTHWEST following the river bank of River Indus to Point 62, which is located at the intersection of the river bank and the northern edge of the water pipe supports.
62	842878	829748	From there SOUTHWEST following the northern edge of the water pipe supports to Point 63, which is located at the intersection of the water pipe supports edge and the wall.
63	842845	829683	From there NORTHWEST following the wall to Point 64, where the end of the wall situates.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
64	842885	829658	From there NORTHWEST following the eastern side of the road kerb to Point 65, which is located at the junction of the road kerb and the gate.
65	842908	829643	From there NORTHWEST following the railing to Point 66, which is located at the junction of the railing and the road marker.
66	843185	829562	From there NORTHWEST following the road marker to Point 67, which is located at the junction of the road marker and the fence.
67	843191	829558	From there NORTHWEST following the fence to Point 68, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
68	843197	829552	From there NORTHWEST and then SOUTHWEST following the fences to Point 69, where it meets a nullah behind the pavement.
69	841896	825418	From there WEST along the road marker on Lok Ma Chau Road to Point 70, where it meets the edge of the flyover above.
70	841893	825399	From there SOUTHEAST following the edge of the flyover above to Point 71, where it meets the fence.
71	841566	825488	From there SOUTHEAST following the fence to Point 72, which is located at the end of the fence.
72	840763	826011	From there SOUTHEAST following the wall to Point 73.
73	840564	826191	From there SOUTHWEST across San Sham Road to Point 74.

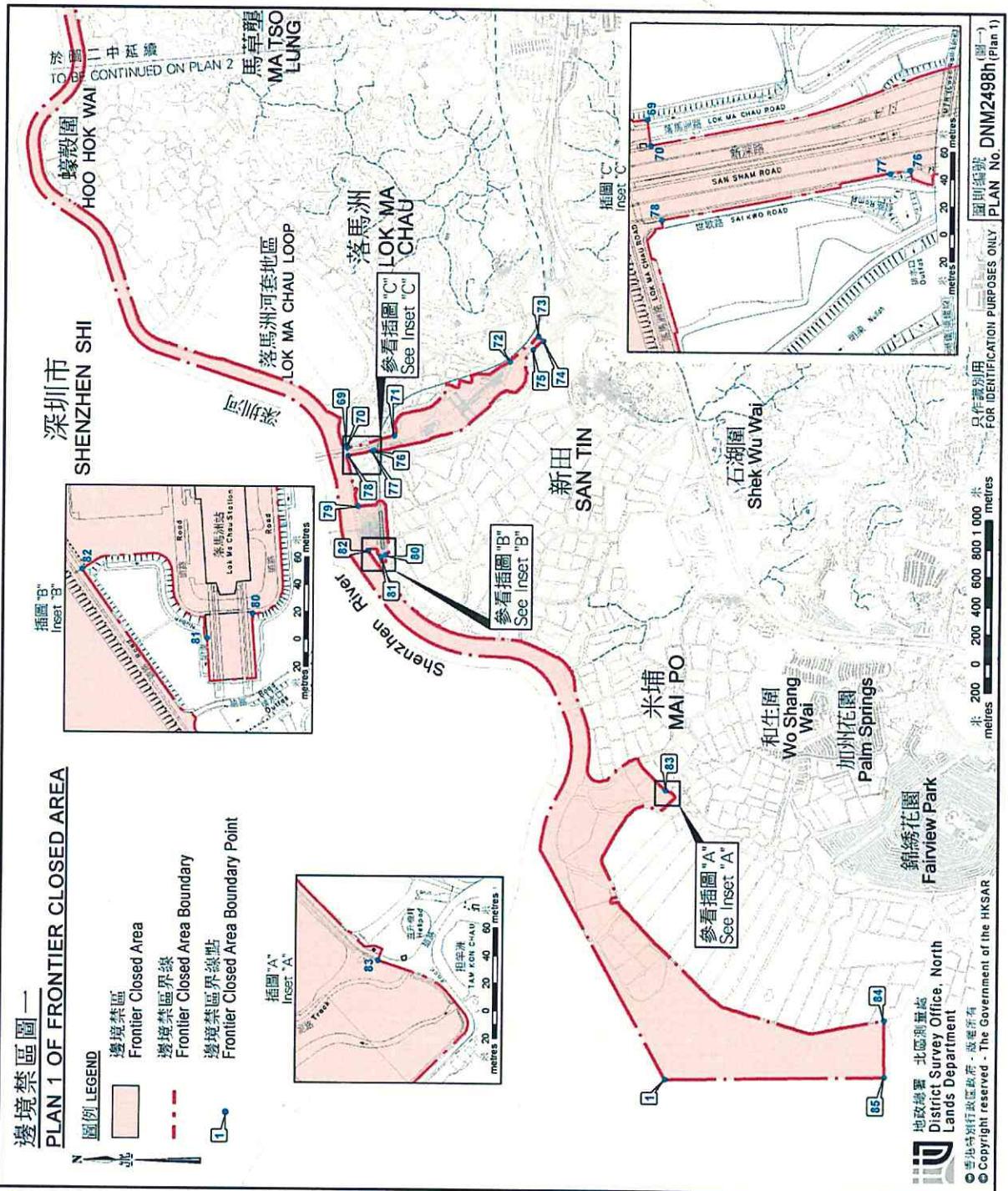
Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
74	840530	826159	From there NORTHWEST following the wall to Point 75, which is located at the start of the fence.
75	840600	826098	From there NORTHWEST following the fence to Point 76, where it meets the edge of the flyover.
76	841705	825385	From there NORTHWEST following the edge of the flyover and across the nullah to Point 77.
77	841719	825381	From there NORTHWEST following the fence to Point 78.
78	841885	825345	From there SOUTHWEST following the fence to Point 79, which is located at the junction of the fences.

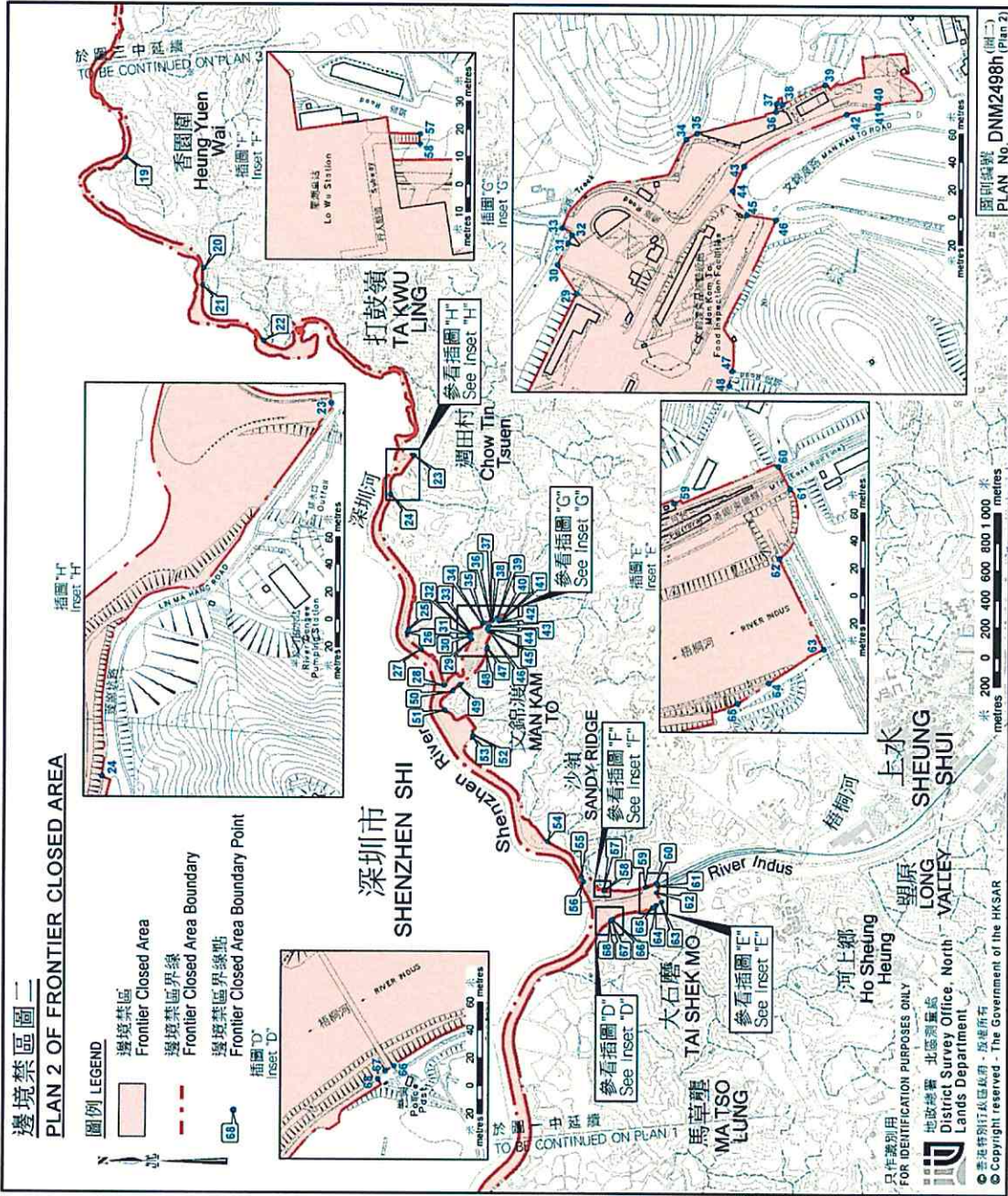
Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
79	841813	824993	From there SOUTH following the fence of the Lok Ma Chau Spur Line Control Point (columns supporting the viaduct are excluded) to Point 80, which is located at the end of the fence.
80	841619	824650	From there WEST following the building edge of the Sewage Plant to Point 81, which is located at the start of the fence.
81	841652	824632	From there EAST following the fence to Point 82, which is located at the junction of the fences.
82	841743	824681	From there SOUTHWEST following the fence to Point 83, which is located at the junction of the fences.

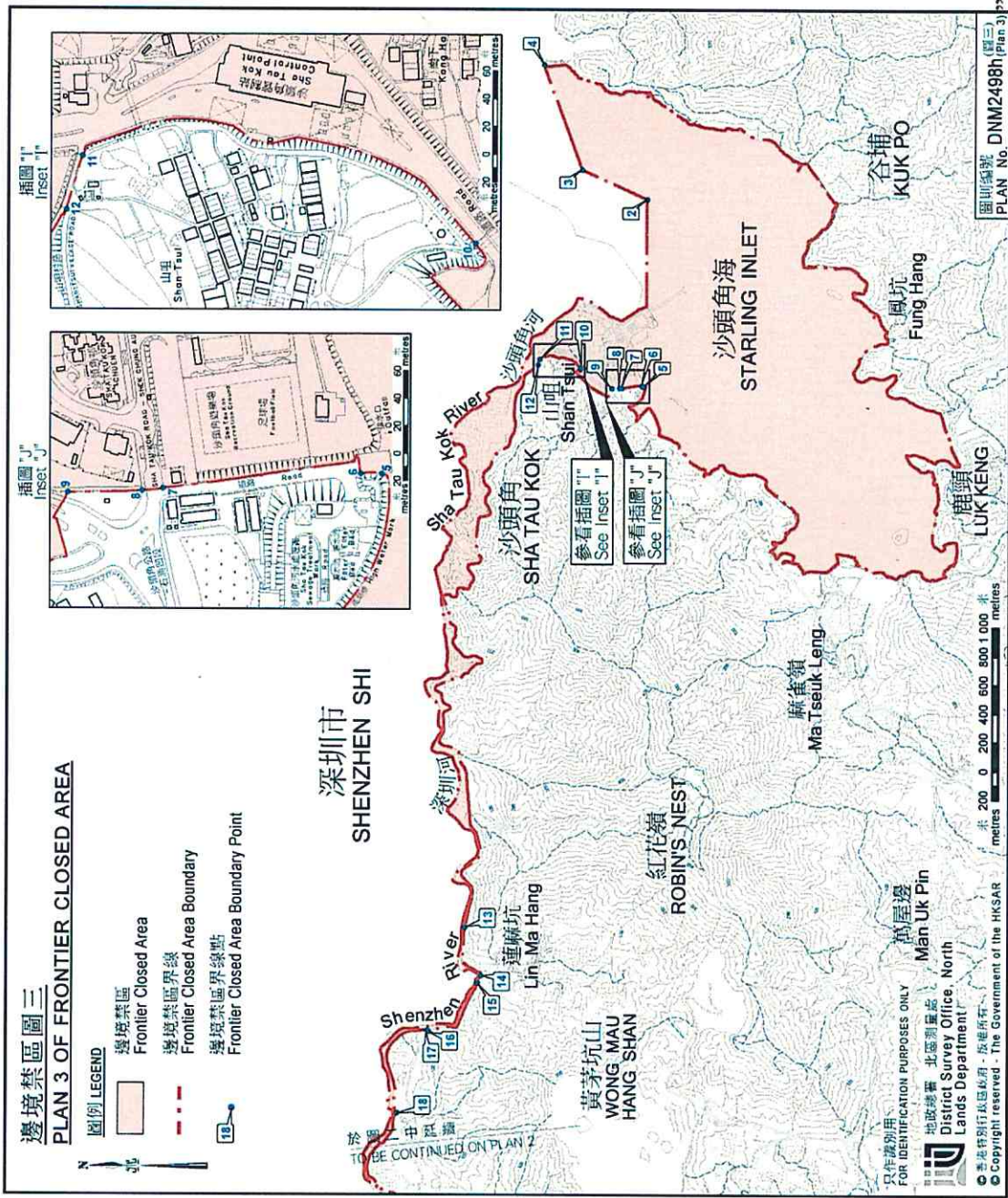
Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
83	839649	823018	From there SOUTHWEST following the fence to Point 84, which is located at the end of the fence.
84	838112	821425	From there WEST to Point 85.
85	838108	821030	Finally NORTH returning to Point 1.

Notes:

1. Point 1 and Points 69 to 85 are shown on the plan titled "PLAN 1 OF FRONTIER CLOSED AREA" annexed to this Schedule.
2. Points 19 to 68 are shown on the plan titled "PLAN 2 OF FRONTIER CLOSED AREA" annexed to this Schedule.
3. Points 2 to 18 are shown on the plan titled "PLAN 3 OF FRONTIER CLOSED AREA" annexed to this Schedule.
4. The plans annexed to this Schedule are provided for information only.







Explanatory Note

The boundary of the frontier closed area is specified in the Schedule to the Frontier Closed Area Order (Cap. 245 sub. leg. A). This Order amends the Schedule to set out the new boundary of the frontier closed area that is reduced after the completion of the construction work between the River Indus and Lin Ma Hang for reducing the area.

Chief Executive

2015

Frontier Closed Area (Permission to Enter) (Amendment) Notice 2015

(Made by the Commissioner of Police under section 38A(1) of the Public Order Ordinance (Cap. 245))

1. Commencement

This Notice comes into operation on 4 January 2016.

2. Frontier Closed Area (Permission to Enter) Notice amended

The Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) is amended as set out in section 3.

3. Schedule amended

(1) The Schedule, Part 1, item 2, fourth column—

Repeal

everything after “from the” and before “to the”

Substitute

“Frontier Closed Area boundary on Man Kam To Road (from 844032 m (N), 831554 m (E) to 844053 m (N), 831557 m (E))”.

(2) The Schedule, Part 1, item 2, fourth column—

Repeal

“along that road to that road block”

Substitute

“to that boundary on Man Kam To Road”.

(3) The Schedule, Part 1, item 2D, fourth column—

Repeal

“an unnamed road”

Substitute

“Lok Ma Chau Road”.

(4) The Schedule, Part 1, item 2E, fourth column—

Repeal

“an unnamed road”

Substitute

“Lok Ma Chau Road”.

(5) The Schedule, Part 1—

Add

“2F. The persons—
 following At any time
 (a) the driver under paragraph (a)(ii) in the second column, must leave that Area without undue delay.
 (b) The driver or passenger must not leave the immediate vicinity of the vehicle.”.

(a) the drivers of road vehicles—

(i) who enter the Frontier Closed Area for the sole purpose of allowing road vehicles to be weighed in compliance with a requirement under section 65 of the Road Traffic

- Ordinance (Cap. 374);
- or
- (ii) who leave that Area after allowing road vehicles to be so weighed; or
- (b) the passengers on those road vehicles.

Commissioner of Police

2015

Explanatory Note

This Notice amends the Schedule to the Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) (*principal Notice*) as a result of certain amendments made to the Frontier Closed Area Order (Cap. 245 sub. leg. A) that change the boundaries of the frontier closed area.












2. This Notice also amends the Schedule to the principal Notice---

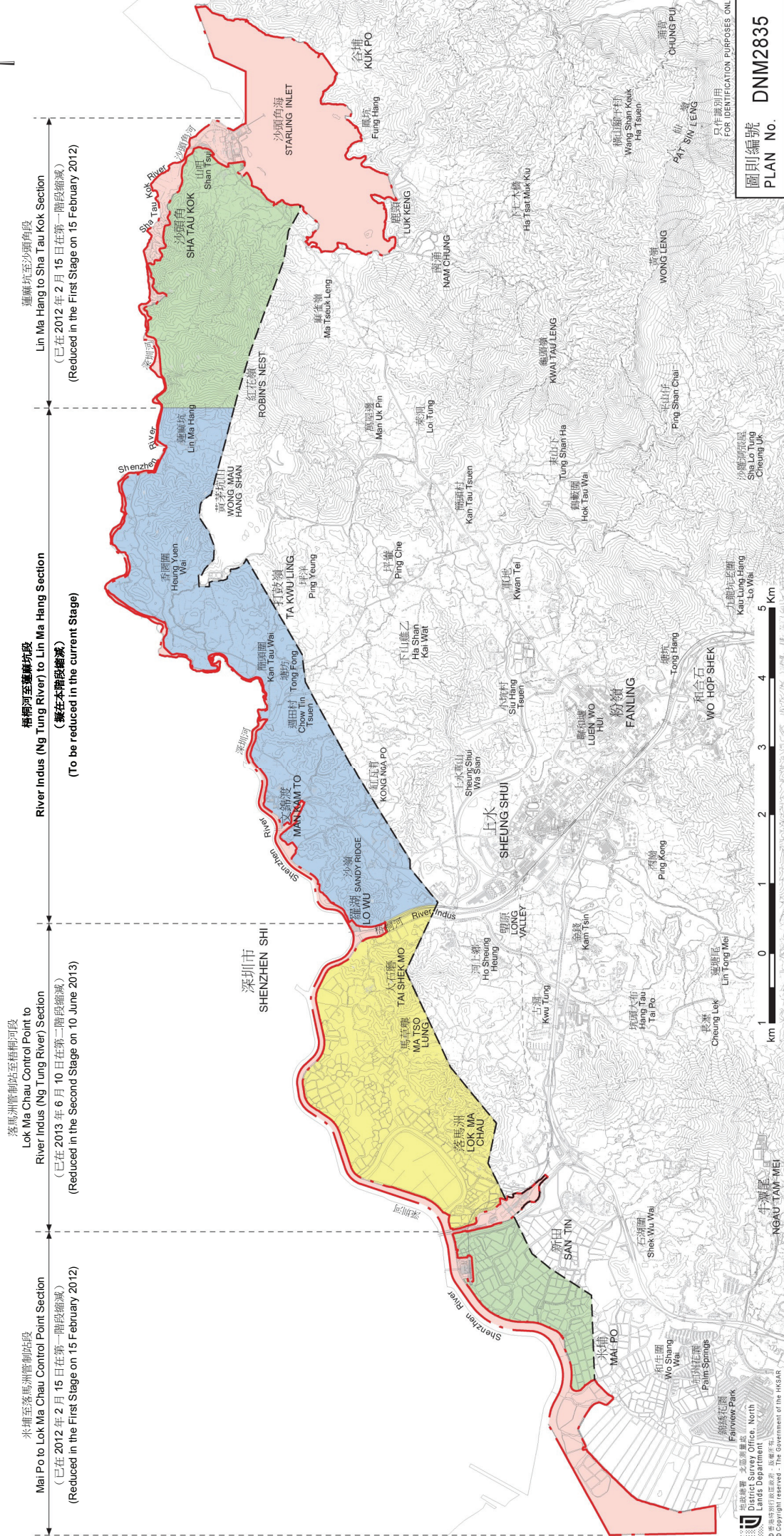
- (a) to update a road name; and
- (b) to grant permission to the following persons to enter or leave the frontier closed area at any time, subject to the conditions specified in the Notice---
 - (i) the drivers of road vehicles, who enter the frontier closed area for the sole purpose of allowing road vehicles to be weighed in compliance with a requirement under section 65 of the Road Traffic Ordinance (Cap. 374), or who leave that area after allowing road vehicles to be so weighed; or
 - (ii) the passengers on those vehicles.

邊境禁區圖

PLAN OF FRONTIER CLOSED AREA

圖例 LEGEND

- | | | | |
|---|---|---|--|
|  | 縮減後的邊境禁區範圍 |  | 縮減後的邊境禁區界線 |
|  | Frontier Closed Area after reduction |  | Frontier Closed Area Boundary after reduction |
|  | 已在第一階段縮減的邊境禁區範圍 |  | 縮減前的邊境禁區界線 |
|  | Frontier Closed Area reduced in the First Stage |  | Frontier Closed Area Boundary before reduction |
|  | 已在第二階段縮減的邊境禁區範圍 | | |
|  | Frontier Closed Area reduced in the Second Stage | | |
|  | 擬在本階段縮減的邊境禁區範圍 | | |
|  | Frontier Closed Area to be reduced in the current Stage | | |



圖則編號 DNM2835
PLAN No.

地圖編者：北區地政處，North Lands Department
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Chapter:	245A	Frontier Closed Area Order	Gazette Number	Version Date
		Empowering section	E.R. 2 of 2012	02/08/2012

(Cap 245, section 36)

[7 September 1984]

(Originally L.N. 322 of 1984)

(*Format changes—E.R. 2 of 2012)

Note:

* The format of the Order has been updated to the current legislative styles.

Paragraph:	1	Citation	E.R. 2 of 2012	02/08/2012
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This order may be cited as the Frontier Closed Area Order.

Paragraph:	2	Area declared to be closed area	E.R. 2 of 2012	02/08/2012
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The area specified in the Schedule is declared to be a closed area.

Schedule:		Schedule	L.N. 49 of 2013	10/06/2013
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[paragraph 2]

1. The area enclosed by joining the positions from Point 1 to Point 74 and from Point 74 back to Point 1.
(L.N. 49 of 2013)

2. In this Schedule—

Point (點) means a point that has—

- (a) a point number set out in column 1 of the following Table; and
- (b) Northing and Easting coordinates set out respectively in columns 2 and 3 of the following Table opposite the point number.

3. The coordinates are based on Hong Kong 1980 Grid System.
(L.N. 19 of 2012)

Table

Column 1	Column 2	Column 3	Column 4
Point number	Northing (m)	Easting (m)	Remarks
1	839637	821002	From there NORTHEAST following a line of bearing 61° until it stops at the centre line of the Shenzhen River, then EAST following the centre line of the

			Shenzhen River and the boundary of the administrative division of the Hong Kong Special Administrative Region of the People's Republic of China to Point 2.
2	844880	842107	From there NORTHEAST following the mouth of Sha Tau Kok Hoi (Starling Inlet) to Point 3.
3	845333	842310	From there NORTHEAST across Sha Tau Kok Hoi (Starling Inlet) to Point 4.
4	845602	843042	From there SOUTH following the coast line of Sha Tau Kok Hoi (Starling Inlet) along the high water mark to Point 5, which is the western edge of the pier.
5	844898	840799	From there NORTH following the western edge of the pier to Point 6, which is located at the junction of the pier edge and the fence.
6	844913	840799	From there EAST across a road following the fence to Point 7, which is located at the northern end of the fence.
7	845056	840788	From there NORTHWEST across Sha Tau Kok Road — Shek Chung Au to Point 8.
8	845071	840786	From there NORTHWEST following the fence to Point 9, which is located at the junction of the fences.
9	845125	840785	From there NORTHWEST following the fence to Point 10, which is located at the junction of the fences.
10	845342	840925	From there NORTHEAST following the fence to Point 11, which is located at the junction of the fences.
11	845626	840988	From there NORTHWEST following Shan Tsui Village Road to Point 12.
12	845637	840949	From there NORTHWEST following the fence to Point 13.
13	846082	837261	From there SOUTH following a straight line of bearing 180° to Point 14.
14	845046	837261	From there NORTHWEST to Point 15, which is located at the ridge of Wong Mau Hang Shan.
15	845380	836000	From there NORTHEAST to Point 16.
16	845390	836010	From there NORTHWEST to Point 17.
17	845510	835920	From there NORTHWEST to Point 18.
18	845530	835870	From there NORTHWEST to Point 19.
19	845550	835690	From there SOUTHWEST to Point 20.
20	845410	835480	From there SOUTHWEST to Point 21.
21	845330	835270	From there NORTHWEST to Point 22.

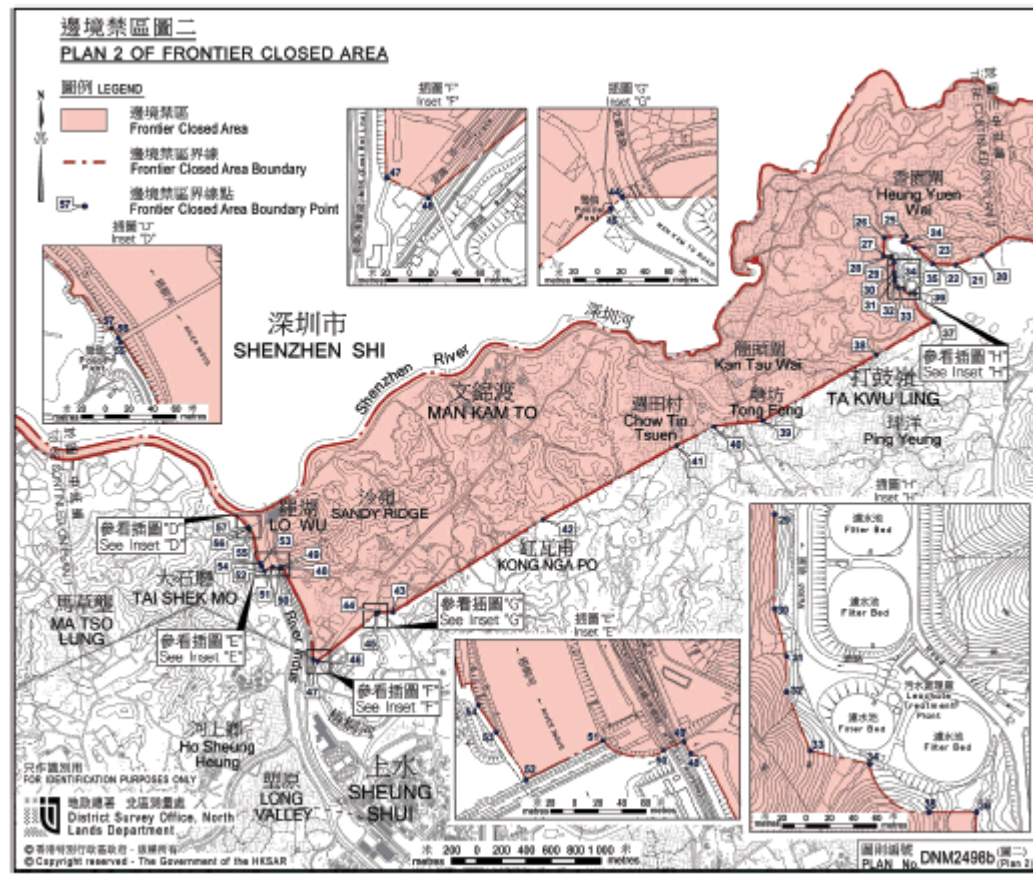
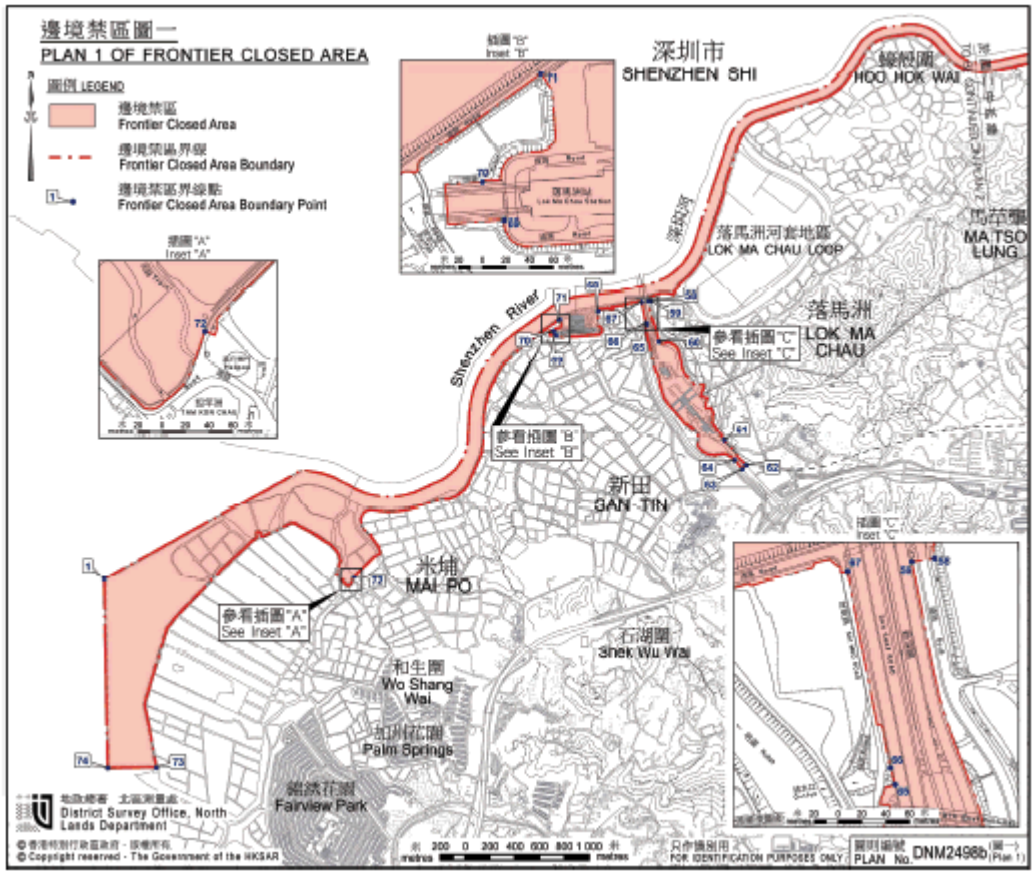
22	845340	835080	From there NORTHWEST to Point 23.
23	845470	834940	From there NORTHWEST to Point 24.
24	845520	834840	From there NORTHEAST to Point 25.
25	845560	834870	From there SOUTHWEST to Point 26.
26	845550	834690	From there SOUTH to Point 27.
27	845403	834689	From there EAST to Point 28.
28	845403	834752	From there SOUTHEAST to Point 29.
29	845350	834770	From there SOUTH to Point 30.
30	845270	834770	From there SOUTHEAST to Point 31.
31	845230	834780	From there SOUTH to Point 32.
32	845200	834780	From there SOUTHEAST to Point 33.
33	845150	834800	From there SOUTHEAST to Point 34.
34	845139	834850	From there SOUTHEAST following an anti-clockwise curve with radius = 45 m to Point 35.
35	845100	834900	From there EAST to Point 36.
36	845100	834940	From there SOUTHEAST following an anti-clockwise curve with radius = 225 m to Point 37.
37	844870	835090	From there SOUTHWEST to Point 38.
38	844600	834629	From there SOUTHWEST to Point 39, which is located at the southern end of Tong Fong.
39	844067	833712	From there SOUTHWEST to Point 40.
40	844020	833316	From there SOUTHWEST to Point 41, which is located at the southern end of Chow Tin Tsuen.
41	843862	833016	From there SOUTHWEST to Point 42, which is located at the summit of Kong Nga Po.
42	843260	831930	From there SOUTHWEST to Point 43, which is located at Sandy Ridge.
43	842510	830720	From there WEST to Point 44.
44	842510	830600	From there SOUTHWEST to Point 45, which is located at the Police Post on Man Kam To Road.
45	842500	830590	From there SOUTHWEST to Point 46.
46	842110	830110	From there NORTHWEST to Point 47, where the fence situates.
47	842127	830075	From there NORTHWEST following the fence to Point 48, which is located at the junction of the fence and the bridge.
48	842867	829822	From there NORTHWEST following the edge of the bridge to Point 49, where it meets the southern edge of the pavement underneath the bridge.
49	842877	829816	From there SOUTHWEST following the southern edge of the pavement underneath the bridge to Point 50, which is located at the junction of the southern edge of the pavement and the river bank of River Indus.

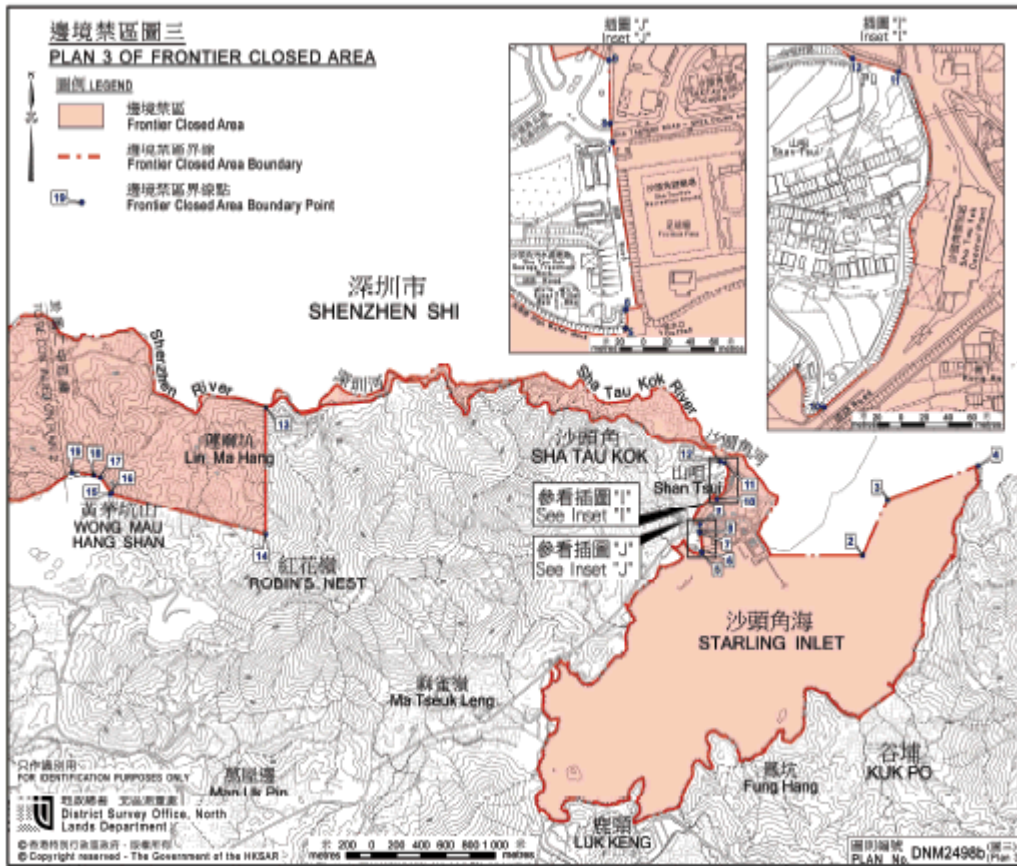
50	842870	829799	From there NORTHWEST following the river bank of River Indus to Point 51, which is located at the intersection of the river bank and the northern edge of the water pipe supports.
51	842878	829748	From there SOUTHWEST following the northern edge of the water pipe supports to Point 52, which is located at the intersection of the water pipe supports edge and the wall.
52	842845	829683	From there NORTHWEST following the wall to Point 53, where the end of the wall situates.
53	842885	829658	From there NORTHWEST following the eastern side of the road kerb to Point 54, which is located at the junction of the road kerb and the gate.
54	842908	829643	From there NORTHWEST following the railing to Point 55, which is located at the junction of the railing and the road marker.
55	843185	829562	From there NORTHWEST following the road marker to Point 56, which is located at the junction of the road marker and the fence.
56	843191	829558	From there NORTHWEST following the fence to Point 57, which is located at the junction of the fences.
57	843197	829552	From there NORTHWEST and then SOUTHWEST following the fences to Point 58, where it meets a nullah behind the pavement.
58	841896	825418	From there WEST along the road marker on an unnamed road to Point 59, where it meets the edge of the flyover above.
59	841893	825399	From there SOUTHEAST following the edge of the flyover above to Point 60, where it meets the fence.
60	841566	825488	From there SOUTHEAST following the fence to Point 61, which is located at the end of the fence.
61	840763	826011	From there SOUTHEAST following the wall to Point 62.
62	840564	826191	From there SOUTHWEST across San Sham Road to Point 63.
63	840530	826159	From there NORTHWEST following the wall to Point 64, which is located at the start of the fence.
64	840600	826098	From there NORTHWEST following the fence to Point 65, where it meets the edge of the flyover.
65	841705	825385	From there NORTHWEST following the edge of the flyover and across the

			nullah to Point 66.
66	841719	825381	From there NORTHWEST following the fence to Point 67.
67	841885	825345	From there SOUTHWEST following the fence to Point 68, which is located at the junction of the fences.
68	841813	824993	From there SOUTH following the fence of the Lok Ma Chau Spur Line Control Point (columns supporting the viaduct are excluded) to Point 69, which is located at the end of the fence.
69	841619	824650	From there WEST following the building edge of the Sewage Plant to Point 70, which is located at the start of the fence.
70	841652	824632	From there EAST following the fence to Point 71, which is located at the junction of the fences.
71	841743	824681	From there SOUTHWEST following the fence to Point 72, which is located at the junction of the fences.
72	839649	823018	From there SOUTHWEST following the fence to Point 73, which is located at the end of the fence.
73	838112	821425	From there WEST to Point 74.
74	838108	821030	Finally NORTH returning to Point 1.

Notes:

1. Point 1 and Points 58 to 74 are shown on the plan titled “PLAN 1 OF FRONTIER CLOSED AREA” annexed to this Schedule.
2. Points 20 to 57 are shown on the plan titled “PLAN 2 OF FRONTIER CLOSED AREA” annexed to this Schedule.
3. Points 2 to 19 are shown on the plan titled “PLAN 3 OF FRONTIER CLOSED AREA” annexed to this Schedule.
4. The plans annexed to this Schedule are provided for information only.





(Schedule replaced L.N. 170 of 2011. Amended L.N. 49 of 2013)

Chapter:	245H	Frontier Closed Area (Permission to Enter) Notice	Gazette Number	Version Date
		Empowering section	E.R. 2 of 2014	10/04/2014

(Cap 245, section 38A(1))

[9 September 1983]

(Originally L.N. 295 of 1983)

(*Format changes—E.R. 2 of 2014)

Note:* **The format of the Notice has been updated to the current legislative styles.**

Section:	1	Citation	E.R. 2 of 2014	10/04/2014
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This notice may be cited as the Frontier Closed Area (Permission to Enter) Notice.

Section:	1A	Interpretation	E.R. 2 of 2014	10/04/2014
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In this Notice—

cross-boundary passenger (過境乘客) means a passenger travelling to or from the Mainland of China;**franchised bus** (專利巴士) means a bus in respect of which a franchise is in force under the Public Bus Services Ordinance (Cap 230);**Frontier Closed Area** (邊境禁區) means the area specified in the Schedule to the Frontier Closed Area Order (Cap 245 sub. leg. A);**passenger service licence** (客運營業證) has the meaning assigned to it by section 2 of the Road Traffic Ordinance (Cap 374);**scheduled service** (專綫服務) has the meaning assigned to it by regulation 2(1) of the Road Traffic (Public Service Vehicles) Regulations (Cap 374 sub. leg. D);**specified route** (指明路綫) has the meaning assigned to it by section 2 of the Public Bus Services Ordinance (Cap 230).

(L.N. 74 of 2007)

Section:	2	Permission to enter or leave	E.R. 2 of 2014	10/04/2014
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Without prejudice to the provisions of any other Ordinance, persons within the classes or categories of persons specified in the second column of the Schedule are, for the purposes of the Public Order Ordinance (Cap 245), permitted to enter or leave the Frontier Closed Area during the times specified in relation thereto respectively in the third column of the Schedule and, in the case of the persons specified in Part 1 of the Schedule, subject to the conditions specified in the fourth column of the Schedule.

(E.R. 2 of 2014)

Section:	3	(Repealed L.N. 74 of 2007)	L.N. 167 of 2007	15/08/2007
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Schedule:		Schedule	L.N. 150 of 2014	06/02/2015
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[section 2]
(L.N. 150 of 2014)**Part 1**

1. The Northing coordinate (N) and Easting coordinate (E) in metres (m) that are included in the fourth column of this Part are based on Hong Kong 1980 Grid System.

(L.N. 50 of 2013)

Item	Persons permitted to enter or leave	Times	Conditions
1.	Persons travelling to or from the Mainland of China who enter or leave the Frontier Closed Area by train.	At any time	<p>The person shall not leave railway premises as defined for the purposes of- (L.N. 108 of 2003; L.N. 74 of 2007; 11 of 2007 s. 36)</p> <p>(a) during the Concession Period within the meaning of section 2(1) of the Mass Transit Railway Ordinance (Cap 556), the Mass Transit Railway Ordinance (Cap 556); and</p> <p>(b) at any other time, the Kowloon-Canton Railway Corporation Ordinance (Cap 372). (11 of 2007 s. 36)</p>
2.	The drivers of and cross-boundary passengers on road vehicles to or from the Mainland of China, entering or leaving Hong Kong via Man Kam To Boundary Control Point.	At any time	<p>The driver shall drive his vehicle directly from the Sha Ling road block (from 842500 m (N), 830590 m (E) to 842510 m (N), 830600 m (E) then to 842510 m (N), 830626 m (E)) along the Man Kam To Road to the Man Kam To Boundary Control Point or from that Control Point along that road to that road block, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 266 of 1987; L.N. 108 of 2003; L.N. 74 of 2007; L.N. 50 of 2013)</p>
2A.	The drivers of and cross-boundary passengers on road vehicles to or from the Mainland of China, entering or leaving Hong Kong via Sha Tau Kok Boundary Control Point.	At any time	<p>The driver shall drive his vehicle directly from the Frontier Closed Area boundary near the southern end of Sha Ho Road (from 845125 m (N), 840785 m (E) to 845135 m (N), 840767 m (E) then to 845125 m (N), 840739 m (E)) to the Sha Tau Kok Boundary Control Point or from that Control Point to that boundary near the southern end of Sha Ho Road, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 266 of 1987; L.N. 108 of 2003; L.N. 74 of 2007; L.N. 50 of 2013)</p>
2B.	The drivers of and cross-boundary passengers on road vehicles to or from the Mainland	At any time	<p>The driver shall drive his vehicle directly from the Frontier Closed Area boundary on San Sham Road (from</p>

of China, entering or leaving Hong Kong via Lok Ma Chau Boundary Control Point.

840564 m (N), 826191 m (E) to 840530 m (N), 826159 m (E)) to the Lok Ma Chau Boundary Control Point or from that Control Point to that boundary on San Sham Road, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 108 of 2003; L.N. 74 of 2007; L.N. 50 of 2013)

2C. The drivers of taxis and public light buses on a scheduled service who enter or leave the Frontier Closed Area for the sole purpose of carrying persons entering or leaving Lok Ma Chau Boundary Control Point, and the persons—

Beginning on 2300 hours on each day and ending with 0630 hours on the next day

The driver—

- (a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via that Control Point; or
- (b) who leave, or intend to leave, that Area by those vehicles after entering Hong Kong via that Control Point.

- (a) shall drive his vehicle directly from the Frontier Closed Area boundary on San Sham Road (from 840564 m (N), 826191 m (E) to 840530 m (N), 826159 m (E)) to the Lok Ma Chau Boundary Control Point or from that Control Point to that boundary on San Sham Road; and
- (b) shall not leave the immediate vicinity of the vehicle.

The person shall not leave the immediate vicinity of the vehicle at any place other than that Control Point. (L.N. 108 of 2003; L.N. 74 of 2007; L.N. 50 of 2013)

2D. The drivers of taxis and the drivers of franchised buses on each day and ending with specified route in uniform, who enter or leave the Frontier Closed Area for the sole purpose of carrying persons to or from the Lok Ma Chau Spur Line Public Transport Interchange, and the persons—

Beginning on 0600 hours on

The driver—

- (a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via the Lok Ma Chau Spur Line Control Point;
- (b) who, after entering Hong Kong via that Control Point, enter, or intend to enter, that Interchange for the sole purpose of leaving that Area by those vehicles; or
- (c) who, after entering Hong Kong via that Control Point, are travelling on those vehicles for the purpose of leaving that Area.

- (a) shall drive his vehicle directly from the Frontier Closed Area boundary (from 841896 m (N), 825418 m (E) to 841893 m (N), 825399 m (E)) along an unnamed road to the Lok Ma Chau Spur Line Public Transport Interchange or from that Interchange to that boundary; and (L.N. 50 of 2013)
- (b) shall not leave the immediate vicinity of the vehicle.

The person—

- (a) under paragraph (a) in the second column, shall not leave the immediate vicinity of that vehicle at any place other than that Interchange;
- (b) under paragraph (b) in the second column, shall leave that Interchange without undue delay; and
- (c) under paragraph (c) in the second column, shall not leave the immediate vicinity of that vehicle. (L.N. 74 of 2007)

2E. The drivers of public light buses Beginning on 0600 hours on The driver—

on a scheduled service who enter each day and ending with(a) shall, unless stopping to pick up or set down passengers as specified in the passenger service licence in respect of the scheduled service, drive his vehicle directly from the Frontier Closed Area boundary (from 841896 m (N), 825418 m (E) to 841893 m (N), 825399 m (E)) along an unnamed road to the Lok Ma Chau Spur Line Public Transport Interchange or from that Interchange to that boundary; and (L.N. 50 of 2013)

or leave the Frontier Closed Area 0030 hours on the next day

for the sole purpose of carrying persons to or from the Lok Ma Chau Spur Line Public Transport Interchange or Ha Wan Tsuen, and the persons—

- (a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via the Lok Ma Chau Spur Line Control Point;
- (b) who, after entering Hong Kong via that Control Point, enter, or intend to enter, that Interchange for the sole purpose of leaving that Area by those vehicles; or
- (c) who, after entering Hong Kong via that Control Point, are travelling on those vehicles for the purpose of leaving that Area.

- (b) shall not leave the immediate vicinity of the vehicle.

The person—

- (a) under paragraph (a) in the second column, shall not leave the immediate vicinity of that vehicle at any place other than that Interchange;
- (b) under paragraph (b) in the second column, shall leave that Interchange without undue delay; and
- (c) under paragraph (c) in the second column, shall not leave the immediate vicinity of that vehicle. (L.N. 74 of 2007)

Part 2

Item	Persons permitted to enter or leave	Times
3.	Residents of the closed area under the age of 18 years.	At any time
4.	Employees of the Kowloon Motor Bus Company (1933) Limited in uniform and operating company buses on authorized routes within the closed area.	At any time
5.	Employees of the Kowloon-Canton Railway Corporation on duty on board trains or otherwise in the course of their duties within the closed area at any time outside the Concession Period within the meaning of section 2(1) of the Mass Transit Railway Ordinance (Cap 556). (11 of 2007 s. 36)	At any time
5A.	Employees of the MTR Corporation Limited on duty on board trains or otherwise in the course of their duties in the closed area during the Concession Period referred to in item 5. (11 of 2007 s. 36)	At any time
6.	Employees of the Guangzhou Railway Administration or the Motor Transport Company of Guangdong and Hong Kong Limited operating trains or company road transport to or from the Mainland of China. (L.N. 108 of 2003)	At any time

Economic and Environmental Implications of the Recommendation

Economic Implications

The further reduction of the FCA coverage would release more land for the further development of Hong Kong. According to the Planning Department, the land so released would be deployed for a wide range of socio-economic uses, including new cross-boundary infrastructure (Liantang/Heung Yuen Wai Boundary Crossing Point and connecting road), cemetery and related facilities, and low-density recreational developments to meet the territorial needs.

Environmental Implications

2. In line with the objective to achieve a proper balance between development and conservation, the “Study on Land Use Planning for the Closed Area” (the Study) completed in July 2010 has formulated a sustainable planning framework respecting the existing rural settings, local traditions and ways of life without compromising the ecologically and environmentally sensitive areas. Based on the Study findings, five Outline Zoning Plans were prepared and gazetted to cover the areas excised from the Closed Area.