

立法會

Legislative Council

LC Paper No. CB(2)1274/16-17

(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE

Panel on Security

**Minutes of meeting
held on Tuesday, 14 March 2017, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon CHAN Hak-kan, BBS, JP (Chairman)
Hon James TO Kun-sun (Deputy Chairman)
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Hon Dennis KWOK Wing-hang
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon YUNG Hoi-yan

Hon CHAN Chun-ying
Dr Hon CHENG Chung-tai

**Members
absent** : Hon Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon MA Fung-kwok, SBS, JP
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon Nathan LAW Kwun-chung

**Public Officers
attending** : Item IV

Mr John LEE Ka-chiu, PDSM, PMSM, JP
Under Secretary for Security

Mr Alex CHAN Yuen-tak
Principal Assistant Secretary for Security B

Mr Joseph LEUNG Wai-hung
Deputy Director of Fire Services

Mr Andy YEUNG Yan-kin
Assistant Director (Headquarters)
Fire Services Department

Item V

Mr John LEE Ka-chiu, PDSM, PMSM, JP
Under Secretary for Security

Mr Andrew TSANG Yue-tung
Principal Assistant Secretary for Security E

Ms Rebecca LAM Hiu-tong
Regional Commander (Marine)
Hong Kong Police Force

Mr Fred TSUI Wai-hung
Deputy Regional Commander (Marine)
Hong Kong Police Force

Mr Simon IP Che-man
Superintendent (Support)
(Marine Region Support Bureau)
Hong Kong Police Force

Ir Dr Jolly WONG Chun-kau
Chief Telecommunications Engineer
(Communications Branch)
(Information Systems Wing)
Hong Kong Police Force

Mr Tommy TANG Chi-wah
Telecommunications Engineer
(Communications Branch)
(Information Systems Wing)
Hong Kong Police Force

Ms Cammy LAI Hoi-fung
Senior Management Services Officer A
(Corporate Services Division)
(Information System Wing)
Hong Kong Police Force

Item VI

Miss Rosalind CHEUNG Man-yee
Acting Commissioner for Narcotics
Security Bureau

Mr Keith YIP Wan-lung
Acting Chief Superintendent (Narcotics Bureau)
Hong Kong Police Force

Mr Lot CHAN Sze-tao
Chief Pharmacist
Department of Health

Dr CHENG Wing-chi
Senior Chemist
Government Laboratory

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 1

Staff in attendance : Mr YICK Wing-kin
Assistant Legal Adviser 8

Mr Raymond LAM
Senior Council Secretary (2) 7

Miss Lulu YEUNG
Clerical Assistant (2) 1

Action

I. Confirmation of minutes of previous meeting
(LC Paper Nos. CB(2)874/16-17 and CB(2)936/16-17)

The minutes of the meetings held on 3 January 2017 and 7 February 2017 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)837/16-17(01), CB(2)878/16-17(01), CB(2)913/16-17(01), CB(2)922/16-17(01) and CB(2)971/16-17(01))

2. Members noted that the following papers had been issued since the last meeting:

- (a) letter dated 15 February 2017 from Dr CHENG Chung-tai and the Administration's response to issues raised in the letter;
- (b) letter dated 17 February 2017 from Dr CHENG Chung-tai;
- (c) joint letter dated 23 February 2017 from Mr CHU Hoi-dick and Dr CHENG Chung-tai; and
- (d) letter dated 2 March 2017 from Ms Claudia MO.

Action

III. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)955/16-17(01) and (02))

Regular meeting in April 2017

3. Members agreed that the following items would be discussed at the next regular meeting on 11 April 2017 at 2:30 pm:

- (a) Legislative proposal for improving fire safety of old industrial buildings and related issues;
- (b) Proposal for upgrading the rank of the Departmental Secretary post in the Fire Services Department ("FSD"); and
- (c) Drug situation in Hong Kong in 2016 and Independent Evaluation Research on the Healthy School Programme with a drug testing component in the 2015-2016 School Year.

Visit to the Independent Commission Against Corruption

4. The Chairman reminded members that a visit to the Independent Commission Against Corruption would be held on 27 March 2017.

IV. Replacement of the Mobilising and Communications System of the Fire Services Department

(LC Paper Nos. CB(2)955/16-17(03) and (04))

5. Under Secretary for Security ("US for S") briefed members on the Administration's proposal to replace the Third Generation Mobilising System ("TGMS") of FSD to improve the mobilisation of fire and ambulance resources for firefighting and rescue operations.

6. Members noted an information note entitled "Mobilising and Communications System of the Fire Services Department" prepared by the Legislative Council ("LegCo") Secretariat.

7. The Chairman drew members' attention to Rule 83A of the Rules of Procedure concerning the requirement of disclosing personal pecuniary interest.

Action

The proposed Fourth Generation Mobilising System

8. Dr CHENG Chung-tai sought information on the timetable for full commissioning of the proposed Fourth Generation Mobilising System ("4GMS") and asked whether a target time would be set for the answering of fire calls under the proposed system.

9. US for S responded that subject to funding approval from the Finance Committee ("FC"), the preparation of tender specifications was expected to be completed in August 2017 and full commissioning of the proposed 4GMS was expected to be completed in April 2022. To facilitate system design and commissioning of the proposed system, FSD had formed a committee to consult relevant users and draw up the system requirements. Deputy Director of Fire Services ("DDFS") supplemented that the FSD's response time target for building fire calls in built-up areas was six minutes, which comprised one minute for mobilising FSD's resources to respond to the incident upon receipt of the call and five minutes for travelling.

10. Mr Holden CHOW asked how the Administration would tackle possible hacking into the systems of the two Fire Services Communications Centres ("FSCCs") under the proposed 4GMS. US for S responded that the proposed 4GMS would be protected by firewalls of a high security level. DDFS added that besides the two FSCCs, a Disaster Recovery Site and Mobile Command Units would also provide support to FSD's emergency rescue operations. Under the proposed 4GMS, two active FSCCs would be established in two geographically separated sites. One FSCC would be primarily responsible for mobilisation and communications operations for incidents in Hong Kong Island and Kowloon, with the other FSCC primarily for incidents in the New Territories. In the event that one FSCC failed, the other FSCC would have the capability and capacity to immediately take over and handle incidents of the entire territory of Hong Kong.

11. Mr Charles MOK sought information on the number of data centres for the two FSCCs under the proposed system. He asked whether these data centres would be located at different sites and whether the costs of establishment of these data centres had been included in the estimated cost of the project. DDFS responded that there would be at least three data centres for the two FSCCs. The costs for establishment of these data centres had been included in the estimated non-recurrent expenditure of the project.

Action

12. Mr YIU Si-wing expressed support for the Administration's proposal. He sought information on the trend of increase in emergency calls in recent years and the projected increase in the number of emergency calls. DDFS responded that there were about 860 000 emergency calls in 2016. With a projected annual increase of 0.61%, 2.85% and 2% in the number of fire calls, emergency ambulance calls and special service calls respectively, it was estimated that the number of emergency calls would reach about 990 000 calls in 2022. FSD had commissioned a consultancy study in 2014 on the options for mobilising and communications services to cope with the projected increase in the number of emergency calls. The design of the proposed 4GMS would cater for the projected increase in the number of emergency calls over the next 15 years.

13. Mr POON Siu-ping asked whether a designed serviceable life of 15 years would be required for the proposed 4GMS. US for S responded that a designed serviceable life of 10 years which was extendable to 15 years would be required for the proposed 4GMS. He said that TGMS also had a design serviceable life of 10 years, which could be extended to 15 years. The maintenance services contract of TGMS had been extended from 10 years to 15 years and could be further extended by two years if so required.

14. Referring to paragraph 10 of the Administration's paper, Mr CHAN Chi-chuen sought information on the background of members of the project team. DDFS responded that the project team would comprise electronic engineers, telecommunications engineers, surveyors and other staff of FSD. The project team would be responsible for project management, system analysis and design, site preparation, user acceptance tests, implementation support and system commissioning of the proposed 4GMS.

15. Mr CHAN Chun-ying expressed support for the Administration's proposal. He asked how the Administration would evaluate the performance of the proposed 4GMS. US for S responded that the capability of 4GMS to enable various service pledges of FSD to be met would be used as the basis for assessing the performance of 4GMS.

Action

Expenditure on the proposed system

16. Referring to paragraph 9 of the Administration's paper, Mr Kenneth LEUNG asked why the non-recurrent expenditure for the project would reach its peak in 2020-2021. He also asked whether there would be additional expenditure after the full commissioning of the proposed 4GMS in 2022. DDFS responded that as the first two years of the five-year development period would mainly involve system analysis, design and development, non-recurrent expenditure would only reach its peak in 2020-2021. He said that recurrent expenditure on maintenance and system support would be incurred after the full commissioning of 4GMS.

17. Mr CHAN Chun-ying sought information on the comparison of recurrent expenditure for the proposed 4GMS and TGMS. DDFS responded that the estimated recurrent expenditure for 4GMS would be around \$200 million, as compared to a recurrent expenditure of about \$120 million for TGMS in 2022.

Identification of the location of a mobile phone user under the proposed system

18. Mr YIU Si-wing asked whether TGMS could only enable identification of the location of a fixed-line caller but not the location of a mobile phone caller. He also asked how the problem would be addressed under the proposed system.

19. Mr CHAN Chi-chuen asked whether it would be viable to identify the location of a mobile phone caller under the proposed 4GMS and the 999 Emergency Telephone System ("ETS").

20. US for S responded that TGMS could only identify the location of a fixed-line caller but not the location of a mobile phone caller. The Administration would explore the feasibility of incorporating the function of identifying a mobile phone caller's location in the proposed 4GMS. He said that many emergency calls were referred from ETS, which was being upgraded to enable identification of the location of a mobile phone caller.

21. Mr Charles MOK expressed concern that the identification of the location of a mobile phone caller under the proposed system might be abused. US for S responded that under the proposed system, the

Action

location of a caller would be automatically displayed without the need for additional manual operation and the proposed system would incorporate audit trail. Unauthorized access to the proposed system might be liable to disciplinary actions and prosecution. DDFS added that the proposed 4GMS could be designed to display the location of the caller but not other personal data.

22. Mr Holden CHOW expressed concern about how the problem of weak mobile phone signals in remote areas of Hong Kong would be addressed under the proposed 4GMS. DDFS responded that mobile phone callers who could not make a "999" emergency call due to mobile phone signal problem with an individual mobile network service provider could dial "112", which would enable connection through the mobile phone signals of all mobile network service providers.

23. Mr CHAN Chun-ying asked whether the Administration had examined the privacy implications of incorporating the function of identifying a mobile phone caller's location in the proposed 4GMS. US for S responded that regarding privacy concerns, the Personal Data (Privacy) Ordinance (Cap. 486) had provided for exemptions for emergency rescue operations.

Availability of the existing system

24. Dr Elizabeth QUAT expressed support for the Administration's proposal for replacement of TGMS. She expressed concern about media reports that the accumulated out-of-service hours of TGMS had exceeded 500 hours. DDFS clarified that the availability rate of TGMS was required to be 99.9%, which represented a total permissible breakdown time not exceeding 525 minutes per year. An enhanced availability rate of 99.995% would be required for the proposed 4GMS, which represented a total permissible breakdown time not exceeding 26.3 minutes per year.

25. Dr Elizabeth QUAT expressed concern that the Director of Audit had identified various deficiencies and problems in the procurement of TGMS. She asked how the Administration would avoid the recurrence of such deficiencies and problems in the procurement of the proposed system.

Action

26. US for S responded that FSD had introduced a series of improvement measures, including the establishment of a steering committee chaired by a directorate officer to oversee the project and formulate comprehensive, practical and feasible terms for the system design in light of users' comments so as to avoid any unnecessary design changes during system development that might affect the progress of the project. The proposed 4GMS would be implemented by stages and by regions to facilitate contract management.

Other issues

27. Mr POON Siu-ping expressed support for the Administration's proposal. He said that the Hong Kong Fire Services Department Ambulancemen's Union had expressed concern that the relocation of ambulance training facilities at the Ma On Shan Paramedic Training Centre ("MOSPTC") to the Fire and Ambulance Services Academy ("FASA") in Tseung Kwan O would result in a reduction in resources for ambulance training. DDFS responded that the ambulance service training facilities in MOSPTC were outdated and could not meet latest training needs. The relocation of such training facilities to FASA would enable the consolidation of ambulance service training facilities. FSD had undertaken to provide better ambulance service training facilities at FASA than those at MOSPTC.

28. Dr CHENG Chung-tai asked whether there would be any redeployment of manpower arising from the establishment of two active FSCCs under the proposed 4GMS. Mr Kenneth LEUNG also asked whether there would be any savings in manpower arising from the implementation of 4GMS.

29. US for S responded that the implementation of 4GMS would not result in savings in manpower, as there would not be any reduction in the tasks involved, and the number of emergency calls was estimated to increase.

30. The Chairman concluded that members had no objection in principle to the Administration's submission of the proposal to FC.

Action

V. Implementation of Marine Situational Awareness System
(LC Paper No. CB(2)950/16-17(01))

31. US for S briefed members on the Administration's proposal to implement a Marine Situational Awareness System ("MARSAS") to integrate different sensor and security systems currently equipped in the Police's Marine Regional Command and Control Centre and on board police vessels with the aim of strengthening the Police's capability to respond to major maritime incidents, mass casualty disasters or acts of terrorism at sea and conducting safer and more effective day-to-day operations, including the interception of illegal immigrants.

32. The Chairman drew members' attention to Rule 83A of the Rules of Procedure concerning the requirement of disclosing personal pecuniary interest.

Technologies to be employed in the proposed system

33. Mr YIU Si-wing expressed concern about whether capacity would be provided in the proposed MARSAS for meeting future enforcement and rescue needs.

34. Mr Charles MOK expressed concern about the dependence of the proposed system on the existing generation of communications technology, given the rapid development in communications technology in recent years. Noting that 4G communications technology would be employed in the proposed system, he expressed concern that 5G communications technology might be more prevalent than 4G communications technology in a few years' time. He also expressed concern that mobile phone signals were weak in some areas of Hong Kong and asked whether other data transmission methods would also be employed in the proposed system.

35. Mr Charles MOK also expressed concern about how compatibility issues among different existing systems under the proposed MARSAS would be addressed.

36. US for S responded that the Police had engaged an information technology company in 2014 to determine whether appropriate technology was available in the market to support the proposed system. The Police had also conducted tests in 2015-2016 and 2016-2017 on the technical and functional feasibility of sharing information between police vessels and land command centres.

Action

37. Chief Telecommunications Engineer (Communications Branch) (Information Systems Wing), Hong Kong Police Force ("CTE(CB)/HKPF") said that the Police had always been keeping track of latest technologies. While the proposed MARSAS would deploy 4G communications technology which was already well developed in Hong Kong, the system would be equipped with intelligent routers which would permit future upgrading of the system to employ future generations of communications technology. He said that the Police had conducted a "proof of concept" as well as launched two trials to assess the reliability of 4G networks and noted that the existing 4G network coverage over Hong Kong waters was comprehensive. In areas where 4G signals were weak, consideration might be given to the use of other data transmission methods, such as satellite transmission and mesh network based on IEEE 802.11 or 802.16.

38. Ms Claudia MO asked whether the proposed system involved integration of existing systems. She also asked whether there were weaknesses in the existing systems. Mr Kenneth LEUNG expressed concern about whether the cost of data transmission modes other than that involving 4G technology had been included in the estimated expenditure for the proposed project. CTE(CB)/HKPF explained that the proposed MARSAS was a new system in which the technology employed was not well developed until recently. The proposed MARSAS mainly involved data fusion for various existing sensor and security systems as well as the use of 4G networks and other technologies to ensure stable transmission of real-time information. It sought to overcome the shortfall in the Police's current capability in maritime data-sharing and communication. The tests conducted by the Police showed that transmission modes involving 4G technology in Hong Kong waters was satisfactory and therefore frequent use of other data transmission technology was not expected.

39. Referring to paragraph 16 of the Administration's paper, Mr Holden CHOW expressed concern that the proposed system would be installed on police vessels in three batches in different years. He asked whether there would be a period during which some police vessels would operate under MARSAS while some other police vessels would operate under existing systems only.

Action

40. CTE(CB)/HKPF explained that there was a need to install the proposed system on the existing fleet of police vessels in batches in order to avoid obstruction to the daily operation of these vessels in support of maritime policing. He pointed out that the installation of the proposed system on the land command centres would be carried out in the first batch and new police vessels would be installed with the proposed system before being put into service.

41. Mr YIU Si-wing sought information on the capability of the proposed MARSAS in combating terrorist activities. Regional Commander (Marine), Hong Kong Police Force ("RC(M)/HKPF") responded that the proposed MARSAS would combine real-time information from all of the existing sensor and security systems and enable sharing amongst users, facilitating better command and control, coordination and deployment of resources by the Police.

42. Ms Claudia MO expressed concern about the capability of the proposed system to defend against hacking. CTE(CB)/HKPF responded that the Police would maintain a high level of security for the system through employment of latest technology, management of access to the system and management of facilities.

Tendering exercise for the proposed project

43. Mr Kenneth LEUNG expressed concern about the tender selection criteria for the proposed project and asked whether a tenderer who offered the lowest bid would be selected regardless of the technical support to be provided.

44. Mr Charles MOK expressed concern about whether there would only be a very limited number of companies possessing the necessary technology to undertake the proposed project. CTE(CB)/HKPF responded that the Police had openly invited tenders for the trials for the proposed project and qualified bidders were identified. He said that the technology to be employed in the proposed project was being used in other places in the world.

45. Mr LEUNG Kwok-hung expressed concern about whether global tendering would be conducted for the proposed project and sought information on the criteria for tender selection. He requested the Administration to provide members with a copy of the tender document for the proposed project. US for S responded that tenders were

Action

evaluated against a set of prescribed factors in accordance with established procedures. Procuring departments would publish tender notices in the Gazette and might also do so on the Internet and in the press. The information was therefore open to the public.

46. Mr LEUNG Kwok-hung expressed concern about whether tenders for the proposed project would be invited in accordance with the government tendering procedures. CTE(CB)/HKPF responded that the tendering exercise would be conducted in accordance with the Stores and Procurement Regulations, with the tender results to be endorsed by the Central Tender Board.

Other issues

47. Mr YIU Si-wing asked whether the implementation of the proposed system would brought about savings in manpower. US for S responded that the proposed MARSAS would not result in savings in manpower as it would only combine the information from the existing systems without reducing the workload of the staff concerned.

48. Mr LEUNG Kwok-hung asked whether the Police had consulted the Innovation and Technology Bureau ("ITB") on the proposed MARSAS. CTE(CB)/HKPF responded that the intelligent routers to be considered for use in the proposed MARSAS were developed by a local start-up company under a programme supported by ITB.

49. The Chairman concluded that members had no objection in principle to the Administration's submission of the proposal to FC.

VI. Amendments to the First Schedule to the Dangerous Drugs Ordinance (Cap. 134)
(LC Paper Nos. CB(2)932/16-17(01) and CB(2)955/16-17(05))

50. Acting Commissioner for Narcotics ("C for N(Atg)") briefed members on the Administration's proposal to bring MT-45, 4,4'-DMAR and phenazepam under control in the First Schedule to the Dangerous Drugs Ordinance (Cap. 134) ("DDO").

51. Members noted a background brief entitled "Amendments to the First Schedule to the Dangerous Drugs Ordinance" prepared by the LegCo Secretariat.

Action

Prevalence of the substances in other places and introduction of legislative amendments to bring the substances under control

52. Mr LEUNG Che-cheung sought information on the prevalence of MT-45, 4,4'-DMAR and phenazepam in other places. C for N(Atg) responded that abuse cases of the substances had been recorded in many overseas countries. Specifically, between 2013 and 2014, a total of 28 analytically confirmed deaths in Sweden, as well as 32 cases in Hungary, Poland and the United Kingdom, were related to MT-45 and 4,4'-DMAR respectively. During the 59th Session of the United Nations Commission on Narcotic Drugs held in 2016, member states agreed to bring such substances under international control.

53. Mr LEUNG Che-cheung asked how the Administration would combat the import of the substances in the interim before the Administration's legislative proposal came into force. Acting Chief Superintendent (Narcotics Bureau), Hong Kong Police Force ("CSP(NB)(Atg)") responded that MT-45 or 4,4'-DMAR were not currently controlled in Hong Kong and there was no record of local seizure of such substances by law enforcement agencies ("LEAs"). Phenazepam was currently subject to control under the Pharmacy and Poisons Ordinance (Cap. 138) and the substance had been seized in local enforcement actions. C for N(Atg) added that after consultation with the Panel, the relevant amendment order would soon be tabled in LegCo for negative vetting so as to bring it into effect as early as possible.

Application of the proposed legislation on persons who brought a reasonable quantity of pharmaceutical products into Hong Kong for personal use

54. Mr CHAN Chi-chuen asked whether a person who brought a small quantity of phenazepam into Hong Kong for personal use would need to obtain a certificate issued by a medical practitioner and submit an application to the Department of Health ("DH") for prior approval.

55. C for N(Atg) responded that under the Import and Export (General) Regulations (Cap. 60A), the import licensing requirement did not apply to bringing a reasonable quantity of relevant pharmaceutical products into Hong Kong for personal use. For substances in Part I of the First Schedule to the DDO, they were subject to the control of a licensing scheme administered by DH.

Action

56. Mr CHAN Chi-chuen asked whether substance purchased online and substance brought by a person into Hong Kong for own medical use would be subject to the same requirements under law. C for N(Atg) responded that the licensing requirement applied to the import of dangerous drug listed in Part I of the First Schedule to DDO. CSP(NB)(Atg) added that LEAs would examine the circumstances of each case and seek advice from the Department of Justice, when necessary.

57. Referring to paragraph 13 of the Administration's paper, Mr Holden CHOW asked whether the seizure of phenazepam by LEAs in the past few years but the absence of record of import of the substance reflected that the substance had been manufactured in Hong Kong. C for N(Atg) responded the substance was seized by LEAs as being imported into Hong Kong without relevant import licences. Mr CHOW said that this reflected the need for the proposed legislative amendments and enforcement by LEAs.

58. There being no other business, the meeting ended at 12:39 pm.

Council Business Division 2
Legislative Council Secretariat
25 April 2017