

# **立法會**

## ***Legislative Council***

LC Paper No. CB(2)1518/16-17

(These minutes have been seen  
by the Administration)

Ref : CB2/PL/SE

### **Panel on Security**

**Minutes of meeting**  
**held on Tuesday, 11 April 2017, at 2:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon CHAN Hak-kan, BBS, JP (Chairman)  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon LEUNG Kwok-hung  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin, BBS  
Hon Frankie YICK Chi-ming, JP  
Hon YIU Si-wing, BBS  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
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  
Dr Hon Junius HO Kwan-yiu, JP  
Hon LAM Cheuk-ting

Hon Holden CHOW Ho-ding  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Hon CHAN Chun-ying  
Hon CHEUNG Kwok-kwan, JP  
Hon HUI Chi-fung  
Dr Hon CHENG Chung-tai

**Members attending** : Dr Hon CHIANG Lai-wan, JP  
Mr KWONG Chun-yu  
Mr Jeremy TAM Man-ho

**Members absent** : Hon James TO Kun-sun (Deputy Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Claudia MO  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Kenneth LEUNG  
Hon Dennis KWOK Wing-hang  
Hon Nathan LAW Kwun-chung

**Public Officers attending** : Item IV

Mr John LEE Ka-chiu, PDSM, PMSM, JP  
Acting 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 Terrance TSANG Wing-hung  
Assistant Director (Fire Safety)  
Fire Services Department

Mr YU Tak-cheung, JP  
Deputy Director of Buildings

Mr Ken NG Kin-shing  
Assistant Director / Mandatory Building Inspection  
Buildings Department

Mr Michael PANG Yuk-lung  
Chief Building Surveyor / Fire Safety  
Buildings Department

Item V

Mr Vic YAU Cheuk-hang  
Deputy Secretary for Security 2

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

Mr Joseph LEUNG Wai-hung  
Deputy Director of Fire Services

Ms Carey YEUNG Ching-yee  
Departmental Secretary  
Fire Services Department

Item VI

Ms Manda CHAN Wing-man  
Commissioner for Narcotics

Miss Rosalind CHEUNG Man-yee  
Principal Assistant Secretary for Security  
(Narcotics) 1

Miss Fiona LI Wing-suen  
Principal Assistant Secretary for Security  
(Narcotics) 2

Dr Billy LI Yeuk-goat  
Senior Statistician (Security)  
Security Bureau

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

**Staff in attendance** : Mr Timothy TSO  
Senior Assistant Legal Adviser 1

Mr Raymond LAM  
Senior Council Secretary (2) 7

Ms Kiwi NG  
Legislative Assistant (2) 1

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**I. Confirmation of minutes of previous meeting**  
(LC Paper No. CB(2)1099/16-17)

The minutes of the special meeting held on 24 January 2017 were confirmed.

**II. Information papers issued since the last meeting**  
(LC Paper Nos. CB(2)1017/16-17(01), CB(2)1136/16-17(01) and CB(2)1168/16-17(01))

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

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

**III. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)1152/16-17(01) and (02))

Regular meeting in May 2017

3. Members agreed that the next regular meeting originally scheduled for 2 May 2017 would be rescheduled to 5 May 2017 at 10:45 am to discuss the following items:

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- (a) Progress on implementation of new immigration control system;
- (b) Use of body worn video cameras by the Police; and
- (c) Construction of disciplined services quarters for the Fire Services Department ("FSD") at Pak Shing Kok, Tseung Kwan O.

**IV. Legislative proposal for improving fire safety of old industrial buildings and related issues**

(LC Paper Nos. CB(2)1152/16-17(03) and (04))

4. Acting Secretary for Security ("S for S (Ag)") briefed Members on the Administration's preliminary legislative proposal for improving the fire safety of old industrial buildings and the progress of inspections of and enforcement actions against mini-storages with fire safety-related irregularities.

5. Members noted a background brief entitled "Fire safety of old industrial buildings" prepared by the Legislative Council ("LegCo") Secretariat.

Problems encountered by mini-storage owners in complying with fire safety standards

6. Mr CHAN Chun-ying expressed support for the Administration's legislative proposal. He sought information on the possible problems encountered by owners and occupiers of pre-1987 industrial buildings in implementing fire safety measures and examples of alternative proposals referred to in paragraph 6 of the Administration's paper.

7. Deputy Director of Fire Services ("DDFS") responded that owners of old commercial buildings had been allowed to install sprinkler systems connected to the existing fire service water tanks of fire hydrant / hose reel systems in the buildings, thus be spared from the requirement of a new fire service water tank for the sprinkler systems. Some buildings without a pre-existing fire service water tank had been allowed to install a fire service water tank of a smaller capacity.

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8. Mr CHAN Chun-ying said that some operators of mini-storages had expressed concern about difficulties in complying with the requirement of providing means of escape with a width of no less than 2.4 metres along the aisles between storage cubicles, as it would substantially reduce the usable floor area of mini-storages. He considered that the Administration should assist operators of mini-storages to apply for loans under relevant schemes for upgrading their facilities to comply with relevant requirements.

9. DDFS responded that FSD had been in communication with mini-storage operators and business associations of the relevant sector on many occasions. FSD had accepted the alternative proposal put forward by the operators of deploying partitions with adequate fire resistance rating to address the inadequate fire load separation of mini-storages.

10. Referring to paragraphs 8 and 9 of the Administration's paper, Mr Jimmy NG sought information on the number of pre-1987 industrial buildings which might have difficulties in adding firefighting and rescue stairways as well as refuge floors and staircase interchanges. He also sought information on the fire safety impact of not carrying out such improvement works. DDFS responded that there were about 1 100 pre-1987 industrial buildings in Hong Kong. Deputy Director of Buildings ("DDB") explained that the addition of firefighting and rescue stairways would mainly serve to facilitate firefighting. Under the legislative proposal, requirements for upgrading fire safety construction (such as fire rated doors) in pre-1987 industrial buildings to the present-day standard would result in substantial improvements from the standard applicable at the time when these buildings were constructed. S for S (Ag) added that although pre-1987 industrial buildings would be required to upgrade the fire safety provisions of the buildings to modern standards, the enforcement authorities would adopt a flexible and pragmatic approach when a certain building encountered genuine technical difficulties in complying with the required standards.

11. Dr CHENG Chung-tai enquired about the number of pre-1987 industrial buildings in Hong Kong, the number of buildings among which the installation of fire service water tanks and pumps was not viable and the number of buildings among which other fire safety improvement works could not be carried out. S for S (Ag) responded that of some 1 100 pre-1987 industrial buildings in the territory, about 400 were built before 1973 and about 700 were built in or after 1973. Industrial buildings built before 1973 were subject to a less stringent set of

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requirements at the time of construction, and installation of an automatic sprinkler system was not a common requirement back then. All industrial buildings and godowns of more than two storeys built after March 1973 were required to be installed with automatic sprinkler systems at the time of construction. In case there were difficulties for some of these old buildings to fully comply with the required standards, the enforcement authorities would adopt a flexible and pragmatic approach in considering acceptance of alternative proposals, on a case-by-case basis with regard to the circumstances of individual buildings, provided that the fire safety of these buildings should not be prejudiced.

12. Mr LEUNG Kwok-hung suggested that consideration be given to conducting a visit to better understand the discretion granted by relevant government departments in relation to compliance with fire safety requirements and acceptance of alternative proposals for meeting fire safety requirements. The Chairman said that it would be more appropriate for the Bills Committee on the legislative proposal, if so formed, to consider the suggestion.

Estimated cost for fire safety improvement works

13. Mr POON Siu-ping expressed support for the Administration's legislative proposal. He asked whether the responsibility for carrying out fire safety improvement works for pre-1987 industrial buildings rested with owners or occupiers. He also asked whether the Administration had estimated the costs required for compliance with the fire safety requirements. S for S (Ag) responded that generally speaking, the occupiers would be responsible for installing emergency lighting and automatic cut-off device for the mechanical ventilating system in their units, and the owners would be responsible for the rest of the improvement works. The estimated cost for installing an automatic sprinkler system in a seven-storey building with a ground floor area of about 600 square metres was about \$2 million. The estimated cost for implementation of measures relating to the provision of fire service installations and equipment was about \$200,000 for each unit. The estimated cost for implementation of measures relating to fire safety construction was about \$30,000 to \$50,000 for each unit.

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Enforcement against fire safety irregularities in mini-storages

14. Noting that FSD had issued 2 548 Fire Hazard Abatement Notices ("FHANs") in respect of 453 mini-storages and the Buildings Department ("BD") had issued 976 statutory orders in respect of 455 mini-storages by the end of February 2017, Mr POON Siu-ping sought information on the progress of compliance with the FHANs and statutory orders.

15. DDES responded that most mini-storage operators were taking active actions in response to the FHANs, including appointing authorized persons and proposing alternative proposals in case compliance with the requirements was technically difficult. Among some 3 000 FHANs issued by 31 March 2017, 139 had been complied with and at least one mini-storage had fully complied with all FHANs issued. DDB added that about 25 of some 1 200 statutory orders issued to mini-storage owners had been complied with. Having regard to the scale of improvement works involved, FSD and BD would grant extension of time for compliance in cases where the owners/operators concerned were taking substantive actions in response to the FHANs and statutory orders.

16. Mr Michael TIEN expressed concern that the legislative proposal focused on the improvement of hardware but not the management of mini-storages. He considered that in the longer term, the Administration should consider introducing a licensing scheme for mini-storages, under which requirements on management would be imposed in addition to the hardware requirements. He asked whether there was a timetable for the Administration's study on the introduction of such a licensing scheme. S for S (Ag) responded that priority was being given to the improvement of fire safety standard of old industrial buildings. There was not yet a conclusion on the way forward regarding whether a licensing scheme should be introduced, on which the relevant sectors would have to be consulted.

17. Mr CHAN Kin-por said that he had met with representatives of the mini-storage industry and noted their concerns regarding difficulties in procurement of insurance if FHANs and statutory orders were not complied with by the relevant deadlines. On the other hand, there were concerns in the insurance sector that some of such deadlines were extended by two to three years. With such lengthy extension, there might be a lack of incentive on the part of owners or operators of mini-storages to carry out fire safety improvement works promptly, thus passing fire risks to insurance companies.



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18. S for S (Ag) responded that the FHANs and statutory orders issued by FSD and BD respectively had specified the fire safety improvement works required and a reasonable period of time for compliance. In case of non-compliance, the enforcement authorities might consider prosecution or taking other enforcement actions in accordance with the respective laws. DDFS added that an extension of time for compliance would only be granted in cases where the operators were taking substantive actions to comply with the requirements, such as the appointment of authorized persons to undertake improvement works or the submission of alternative proposals for meeting the prescribed fire safety requirements.

Arts and cultural production and activities in industrial buildings

19. Mr KWONG Chun-yu expressed concern about whether the legislative proposal would have any impact on arts or cultural production in industrial buildings. He also expressed concern about whether any arts or cultural production in industrial buildings had been prohibited for fire safety reasons. He asked whether the Administration would consult the arts and cultural sector on the legislative proposal.

20. Mr MA Fung-kwok expressed support for the Administration's proposal. He said that the Administration should consider relaxing restrictions on the non-industrial uses of industrial buildings, so that arts and cultural activities could be organized in industrial buildings.

21. S for S (Ag) responded that the prime concern of the legislative proposal was the fire safety of old industrial buildings. While he would convey members' concerns over the arts and cultural uses in industrial buildings to relevant bureaux and government departments, occupiers of old industrial buildings would have to comply with the requirements under the law, including the approved use of the land concerned as specified in the land lease, unless exemption was granted by relevant government departments. The Home Affairs Bureau was responsible for policy on support for arts and cultural development. The Chairman pointed out that the Administration had stated in paragraph 13 of its paper that it would consult stakeholders, including the relevant trade associations and professional bodies, on its legislative proposal. In this connection, Members might wish to draw the attention of the arts and cultural sectors to such consultation by the Administration.

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22. Mr Jeremy TAM asked whether the fire safety requirements on industrial units at the ground level of old industrial buildings could be relaxed to facilitate the use of such units for arts or cultural activities, given that the fire risk associated with units at ground level was lower.

23. S for S (Ag) responded that there had been cases in which approval was given for non-industrial activities to be conducted in industrial units at ground level, provided that basic fire safety was not prejudiced. He stressed that the primary objective of the legislative proposal was the improvement of fire safety in old industrial buildings. In most cases, owners should be responsible for carrying out such improvement works. He said that issues relating to the use of buildings were separately dealt with by relevant government departments.

**V. Proposal for upgrading the rank of the Departmental Secretary post in the Fire Services Department**  
(LC Paper No. CB(2)1152/16-17(05))

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

25. Deputy Secretary for Security 2 ("DS for S2") briefed Members on the Administration's proposal for upgrading the post of Departmental Secretary ("DS") in FSD from the current Principal Executive Officer ("PEO") rank to Senior Principal Executive Officer ("SPEO") rank.

Issues relating to the rank of Departmental Secretary post

26. Mr CHAN Chun-ying said that he had no objection to the Administration's proposal. He expressed concern about why the DS post was not ranked at SPEO when it was established.

27. Mr POON Siu-ping expressed support for the Administration's proposal. He asked whether the rank of a DS post was determined according to the establishment size of the government department concerned.

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28. DS for S2 responded that the DS post had earlier been pitched at PEO rank having regard to the volume and complexity of duties back then. To cope with the subsequent growth in responsibilities of the DS post in terms of scope and complexity, there was a need to upgrade the post to SPEO rank.

29. Mr CHAN Chun-ying asked whether the upgraded post would be filled by the incumbent of the existing DS post. DS for S2 and DDFS responded that the Civil Service Bureau would arrange to fill the upgraded DS post with a suitable officer according to established posting policy.

30. Referring to paragraph 12 of the Administration's paper, Mr CHAN Chun-ying expressed concern about why the additional full annual average staff cost of the proposal was less than the additional notional annual salary cost at mid-point. The Chairman requested the Administration to include its response in its paper for the Establishment Subcommittee ("ESC").

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Starting salaries and pay scales of staff of the Fire Services Department

31. Dr CHENG Chung-tai said that the proposal to upgrade the existing DS post was reasonable. He expressed concern about whether the Administration would review the starting salaries and pay scales of FSD staff and bring them on par with those of police officers. He also expressed concern about the number of FSD staff awaiting allocation of departmental quarters.

32. Mr CHAN Han-pan expressed support for the Administration's proposal. He said that the Administration should consider bringing the pay scale for FSD staff on par with the staff of other disciplined services. Consideration should also be given to separating emergency ambulance service from FSD.

33. Dr Elizabeth QUAT expressed support for the Administration's proposal. She said that consideration should be given to establishing a separate pay scale for FSD staff to uphold staff morale.

34. DS for S2 responded that issues relating to starting salaries and pay scales of disciplined services were under the purview of the Civil Service Bureau, and the Secretary for Civil Service had addressed the issues at a media session on 9 April 2017. To relieve the work pressure of FSD

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staff, there had been an increase of over 60 posts for FSD in 2016-2017 and there would be an increase of over 300 posts for FSD in 2017-2018. He said that the Administration had been seeking to provide more departmental staff quarters for FSD and indeed would brief the Panel on its proposal to construct disciplined services quarters for FSD at Pak Shing Kok, Tseung Kwan O at its meeting in May 2017.

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

**VI. 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**  
(LC Paper Nos. CB(2)1138/16-17(01) and CB(2)1152/16-17(06))

36. Commissioner for Narcotics ("C for N") briefed Members on the drug situation in Hong Kong in 2016, the Administration's anti-drug efforts in response to the latest drug situation and the findings of the independent evaluation research on the Healthy School Programme with a Drug Testing Component ("HSP(DT)") in the 2015-2016 school year ("the Research").

37. Members noted a background brief entitled "Anti-drug efforts in Hong Kong" prepared by the LegCo Secretariat.

Measures to combat drug abuse

38. Referring to paragraph 11(b) of the Administration's paper, Mr POON Siu-ping sought information on the reasons for taking drugs in respect of the relatively high proportion of newly reported drug abusers being young adults. Referring to paragraph 10 of the Administration's paper, he expressed concern about the distribution in terms of age and education level of 4 734 persons arrested for drug-related offences in 2016.

39. While noting that the drug history of newly reported drug abusers had slightly decreased in 2016, Dr Elizabeth QUAT considered that the problem of hidden drug abuse was still serious. She asked about the measures adopted by the Administration to address the problem of hidden drug abuse.

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40. C for N responded that the most common reasons for taking drugs, including those in respect of drug-abusing young adults, were to relieve boredom, depression or stress and to identify with peers. The Administration had been adopting a five-pronged approach to address the drug situation. Regarding preventive education and publicity, the Administration would continue to enhance community awareness of the drug problem and encourage early help-seeking. Besides organizing programmes such as anti-drug exhibitions and sharing sessions at the Drug InfoCentre, anti-drug messages were disseminated through different media platforms, including electronic platforms such as popular websites, mobile applications and social media platforms, so as to maximize access to different target groups. Collaboration with media organizations (e.g. radios) was continued to organize anti-drug programmes for parents and at workplaces or venues frequented by young adults, in a bid to strengthen their knowledge of drug harms and skills in identifying and helping possible drug abusers. The Administration had also launched the Anti-drug Community Awareness Building Programme in the 18 districts to actively promote awareness of drug abuse among members of the community including residents and frontline workers at the district level, and enable a broader cross-section of the community to play a more active role in drug abuse prevention, early identification and intervention. Suitable anti-drug training was provided to teachers and school management personnel to facilitate the identification of students who might have drug problems. Treatment and rehabilitation services were provided to drug abusers through compulsory treatment programmes, voluntary residential programmes, voluntary outpatient methadone treatment programme, substance abuse clinics and community-based counselling centres. Non-governmental organizations had also implemented outreach services to identify hidden drug abusers.

Healthy School Programme with a Drug Testing Component

41. Mr CHAN Chi-chuen asked whether any drug-taking student had been identified under the drug testing component of HSP(DT). He said that if no such student had been identified under HSP(DT), it might be that the drug testing component of HSP(DT) was ineffective. C for N replied that while no drug-taking student had been identified under the drug testing component of HSP(DT) since its implementation in the 2011-2012 school year, the Research findings indicated that this drug testing component could help students to reinforce their resolve to stay away from drugs.

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42. Mr Frankie YICK expressed concern that the number of schools participating in HSP(DT) was relatively small. He said that the Administration should put more efforts in promoting HSP(DT) to schools.

43. Dr Elizabeth QUAT said that the participation rate of schools in HSP(DT) was relatively low. She considered that the Administration should examine the reasons for lack of support from non-participating schools.

44. Mr KWOK Wai-keung considered that the Administration should step up promotion of HSP(DT) to non-participating schools and encourage participating schools to share their experience in HSP(DT) with non-participating schools.

45. Mr LEUNG Kwok-hung expressed concern about whether the Administration had made efforts to promote HSP(DT) to all schools.

46. C for N responded that the Administration had been actively promoting HSP(DT) to all secondary schools and the number of participating schools had increased from 43 in the 2011-2012 school year to 122 in the 2016-2017 school year. Since the release of the Research findings in January 2017, the Administration had conducted over 10 briefing sessions on the findings for school sponsoring bodies, secondary school heads associations, district school principals liaison committees and individual school personnel to encourage their participation in HSP(DT). The Administration had also stepped up publicity on HSP(DT) and distributed newsletters in which principals and teachers of participating schools shared their experience in participating in HSP(DT).

*[To allow sufficient time for discussion, the Chairman advised that the meeting would be extended by 15 minutes.]*

47. Mr KWOK Wai-keung considered that as the drug testing component in HSP(DT) was voluntary, it was not effective in identifying drug abusers. He asked whether the Administration had examined why the level of support of non-participating schools for HSP(DT) was lower than that of participating schools.

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48. C for N responded that the Research findings indicated that students, parents, principals and teachers of schools which had participated in HSP(DT) for a longer duration (e.g. more than three years) and hence a deeper understanding of HSP(DT) were highly supportive of HSP(DT), as contrasted to non-participating schools in which the support level was comparatively lower and the students and parents had a relatively limited understanding of HSP(DT). In this connection, the Administration would step up promotion of HSP(DT) to non-participating schools.

RESCUE Drug Testing Scheme

49. Mr CHAN Chi-chuen sought information on the way forward regarding the proposed RESCUE Drug Testing ("RDT") Scheme.

50. Mr Frankie YICK said that many frontline social workers were supportive of the proposed RDT Scheme. He considered that the proposed RDT Scheme should be implemented as soon as possible.

51. Mr KWOK Wai-keung expressed concern that the RDT Scheme, in which the drug testing component was not voluntary, had faced opposition because of privacy concerns.

52. C for N responded that the Action Committee Against Narcotics launched a first stage public consultation on the proposed RDT Scheme in 2013 and submitted in 2014 its report and recommendations, which had been accepted by the Administration. There were divergent views on the proposed RDT Scheme and the Administration did not have any timetable at present for the second stage consultation on the proposed RDT Scheme.

53. There being no other business, the meeting ended at 4:34 pm.