

立法會

Legislative Council

LC Paper No. CB(2)2091/16-17

(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE

Panel on Security

Minutes of meeting
held on Tuesday, 6 June 2017, at 2:30 pm
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 Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS, JP
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 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 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
Hon Nathan LAW Kwun-chung

**Members
absent** : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon MA Fung-kwok, SBS, JP
Hon Kenneth LEUNG
Hon Dennis KWOK Wing-hang
Hon CHU Hoi-dick

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

**Public Officers
attending** : Item IV

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

Mr Billy WOO Tak-ying
Principal Assistant Secretary for Security
(Review)

Mr FUNG Ngai-wa
Assistant Director of Immigration
(Removal Assessment and Litigation)

Mr William FUNG Pak-ho
Assistant Director of Immigration
(Enforcement)

Mr MA Chi-ming
Assistant Director of Immigration
(Visa and Policies)

Item V

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

Ms Iris LEE Ho-ki
Principal Assistant Secretary for Security A

Mr Nelson CHENG Yiu-mo
Assistant Commissioner of Police
(Operations)

Ms Winna LEUNG Wing-sheung
Superintendent of Police (Operations Wing)

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

Miss Lulu YEUNG
Clerical Assistant (2) 1

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I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)1518/16-17)

The minutes of the meeting held on 11 April 2017 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)1457/16-17(01) to (02) and
CB(2)1486/16-17(01))

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

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- (a) joint letter dated 12 May 2017 from Mr Dennis KWOK and Mr Alvin YEUNG;
- (b) letter dated 15 May 2017 from Mr James TO; and
- (c) Administration's response to issues raised in a letter dated 28 April 2017 from Mr LAM Cheuk-ting.

3. The Chairman said that the letters referred to in paragraph 2(a) and (b) above would be dealt with under agenda item III.

4. Regarding paragraph 2(c) above, members agreed that issues relating to acceptance of donations and sponsorships by welfare-related or staff associations of disciplined service departments would be included in the Panel's list of outstanding items for discussion.

III. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1533/16-17(01) and (02))

Regular meeting in July 2017

5. Members agreed that the following items would be discussed at the next regular meeting on 4 July 2017 at 2:30 pm:

- (a) Custodial and detention management of the Hong Kong Police Force;
- (b) Proposed implementation details of the Registered Fire Engineer Scheme; and
- (c) Inshore and mountain search and rescue operations of the Government Flying Service.

IV. An update on the comprehensive review of the strategy of handling non-refoulement claims
(LC Paper Nos. CB(2)1533/16-17(03) to (04) and CB(2)1560/16-17(01))

6. Under Secretary for Security ("US for S") briefed members on the latest situation regarding the Administration's comprehensive review of the strategy of handling non-refoulement claims.

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7. Members noted an updated background brief entitled "Unified screening mechanism for non-refoulement claims" prepared by the Legislative Council ("LegCo") Secretariat.

Provision of publicly-funded legal assistance

8. Referring to paragraph 22 of the Administration's paper, Mr Jimmy NG asked when the discussions between the Administration and the Duty Lawyer Service ("DLS") on further increasing the latter's capacity in supporting the provision of publicly-funded legal assistance ("PFLA") to non-refoulement claimants was expected to be completed. Mr CHAN Chun-ying also expressed concern about the adequacy of manpower in DLS for providing relevant administrative support.

9. US for S responded that discussion with DLS on increasing its manpower needs was ongoing and experience indicated that the discussion might take some months. He said that the capacity of DLS in supporting the provision of PFLA to claimants was one of the bottlenecks in the processing of non-refoulement claims. The Administration planned to implement a new supplementary roster scheme, under which cases would be assigned to lawyers on the roster directly, in parallel with the existing DLS scheme to expedite the screening of claims. Upon completing each case, participating lawyers would be remunerated with a standard legal fee instead of remunerated at time rates.

10. Ms YUNG Hoi-yan sought information on the number of lawyers who had joined the supplementary roster scheme. US for S responded that all eligible lawyers currently on the DLS roster would be invited to join the supplementary roster scheme. To his knowledge, many members of the Law Society of Hong Kong intended to join the supplementary roster scheme, subject to the provision of more information by the Administration, whereas the Hong Kong Bar Association ("the BAR") considered that the participation of its members in the supplementary roster scheme would not be consistent with the BAR's code of practice. Legal advice sought by the Administration took the view that the creation of a supplementary roster scheme met the high standards of fairness required by the court in the screening of non-refoulement claims.

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Online pre-arrival registration

11. Mr YIU Si-wing expressed concern that since the introduction of online pre-arrival registration ("PAR") for Indian passport holders, the number of visitors from India had dropped to about 113 000 in the first four months of 2017, as compared to about 147 000 for the corresponding period in 2016. There were concerns that while the PAR application of some members of a family were approved, the PAR application of other members of the family were rejected. Ms YUNG Hoi-yan asked whether the number of non-refoulement claimants from India had decreased since the introduction of PAR for Indian passport holders.

12. Dr Fernando CHEUNG expressed concern about whether the introduction of PAR for Indian passport holders had a negative impact on the visit of Indian passport holders, such as those who visited Hong Kong for business.

13. US for S responded that more than 90% of online PAR applicants had been able to register successfully. He stressed that PAR was not a visit visa. Unsuccessful PAR applicants could submit an application for a visa to visit Hong Kong. He pointed out that 22% of non-refoulement claimants had come from India and over 80% of them were overstayers. Since the introduction of PAR for Indian passport holders, the number of Indian visitors overstaying had dropped from an average of 36 per month in the last quarter of 2016 to the current average of 13 per month. Assistant Director of Immigration (Visa and Policies) ("AD of Imm (VP)") added that a visa application would normally be finalized within four weeks upon receipt of all necessary documents. The processing time could be shortened in urgent cases and there had been cases in which the visa application was finalized within one to two days. He stressed that PAR had struck a balance between immigration control and travel convenience for visitors.

14. Mr LEUNG Che-cheung asked whether the Administration had any plan to extend PAR to visitors from other countries of origin referred to in Annex B to the Administration's paper. US for S responded that visas were in general required for visitors from the other countries of origin referred to in Annex B to the Administration's paper.

15. Mr LEUNG Che-cheung further asked whether a visitor's risk of overstaying in Hong Kong would be assessed when considering the visitor's application for a visit visa. AD of Imm (VP) responded that

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factors such as the applicant's purpose of visit, occupation, relatives and friends in Hong Kong would all be taken into consideration in the processing of a visa application.

Torture Claims Appeal Board

16. Referring to a submission from Justice Centre Hong Kong, Mr Alvin YEUNG asked whether the Administration had any timetable for providing a response to issues raised by the United Nations Committee Against Torture ("CAT") on the third report of the Hong Kong Special Administrative Region ("HKSAR") under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("the Report") in relation to the Torture Claims Appeal Board ("TCAB").

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17. Principal Assistant Secretary for Security (Review) responded that the Administration had already provided in late 2016 its response to the CAT's request for supplementary information. As regards the issues raised in the List of Issues in relation to TCAB, a working group had been formed under TCAB to study the issues concerned. Mr Alvin YEUNG requested the Administration to provide information on the timetable for completion of the study undertaken by the TCAB working group.

Expediting the screening of claims

18. Dr Elizabeth QUAT expressed concern that although the number of pending claims had decreased, the problem of abuse of non-refoulement claims was still serious and crime committed by claimants had increased. She said that the Administration should expedite the screening of claims by shortening the time allowed for submitting a completed claim form.

19. Referring to Annex C to the Administration's paper, Mr POON Siu-ping asked whether the Administration would introduce expedited procedures, which were adopted by countries of the European Union, for the screening of non-refoulement claims of persons from country with a low risk of torture, such as India. US for S responded that the Administration was studying overseas experience and noted that some countries were facing legal challenges against the introduction of such expedited procedures.

20. Ms YUNG Hoi-yan asked whether a non-refoulement claim would be required to be lodged within a certain time limit from the claimant's arrival in Hong Kong.

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21. US for S responded that the Administration was reviewing the provisions in the Immigration Ordinance ("IO") (Cap. 115) on screening procedures for non-refoulement claims and related matters, drawing reference to overseas legislation, practice and operational experience. Measures being considered by the Administration included examining the suggestion of using existing vacant penal institutions for detention of illegal immigrants, providing effective operational support to detention facilities and shortening the existing time limit of seven weeks for filing the non-refoulement claim form.

Crime committed by non-refoulement claimants

22. Dr Elizabeth QUAT said that the Administration should increase detention facilities and facilitate the effective management of such facilities by introducing legislative amendments to allow staff of the Immigration Department ("ImmD") to undergo training in the use of firearms.

23. The Chairman asked whether the Administration would follow the practice of some countries to reject the claim of claimants convicted of crime in Hong Kong. Dr Elizabeth QUAT said that the Administration should reject the claims of claimants who had committed serious crime in Hong Kong. US for S responded that the Court of Final Appeal ("CFA") had ruled that the right of a claimant not to be subjected to cruel, inhuman, or degrading treatment or punishment was absolute. As such, ImmD must screen a person's claim, even if the claimant had been convicted of crime in Hong Kong.

24. Ms Starry LEE expressed concern that there was an increase in the number of claimants arrested for various crime. The Chairman added that the number of claimants arrested for organized crime had increased. US for S responded that a task force had been established under the Organized Crime and Triad Bureau of the Police to address the problem of increased organized crime committed by ethnic minorities (including claimants).

25. Mr POON Siu-ping said that the recent decrease in the numbers of new claims and pending claims reflected that the measures adopted by the Administration were effective. Referring to Annex A to the Administration's paper, he sought information on the means by which the 219 non-ethnic Chinese ("NEC") illegal immigrants had entered Hong Kong in the first quarter of 2017. Assistant Director of Immigration

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(Enforcement) ("AD of Imm (E)") responded that about 45% of illegal immigrants had entered Hong Kong by sea and about 45% had entered Hong Kong by land. The Administration had strengthened measures to combat the problem, including the deployment of under-vehicle surveillance system at boundary control points.

26. Ms Starry LEE sought information on the crime committed by NEC illegal immigrants and asked whether there was recently an increase in such crime. US for S responded that 1 506 NEC illegal immigrants had been arrested for crime in 2016, representing an increase of 35% over the previous year. The crime committed by these NEC illegal immigrants included wounding and serious assault, burglary, drug offences, forgery and coinage, robbery and sex offences.

Illegal employment

27. Referring to paragraph 30 of the Administration's paper, Mr POON Siu-ping asked about the number of employers arrested in the 259 targeted operations against NEC illegal workers conducted by ImmD in the first four months of 2017. He expressed concern about whether the Administration's comprehensive review on screening procedures and related matters covered measures to combat the taking up of illegal employment by non-refoulement claimants. AD of Imm (E) responded that 79 employers and 146 NEC illegal workers had been arrested in the operations concerned. Besides launching operations to combat the problem, the Administration would continue to launch publicity to remind employers that the employment of unemployable persons was a serious offence liable to imprisonment.

28. Ms Starry LEE asked whether the Administration would review its criteria for the release on recognizance of NEC illegal immigrants.

29. Mr Frankie YICK expressed concern that huge expenditure was incurred by the Administration in the screening of claims and provision of support for claimants. He said that there were many NEC illegal workers and asked whether the release of NECs on recognizance could be ceased.

30. US for S responded that although ImmD was empowered under IO to detain an illegal immigrant for specific purposes such as removal or pending final determination of a non-refoulement claim, CFA had ruled that when exercising such detention power, ImmD could detain a person

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only for a period of time reasonable for the statutory purposes for which that person was detained. AD of Imm (E) added that if it became apparent that ImmD would not be able to effect removal of a claimant within a reasonable period, the claimant would have to be released on recognizance.

Closed detention

31. Mr CHAN Chi-chuen said that as the number of new claims and number of pending claims had decreased, there was not a need to explore the closed detention of claimants.

32. Referring to Annex C to the Administration's paper, Dr Fernando CHEUNG asked whether the Administration had any plan to detain claimants in closed camps and expressed opposition to the closed detention of claimants. US for S noted the views of Dr CHEUNG. He said that there were both views in support of and views against detention of claimants in closed camps, on which the Administration adopted an open mind. As it had been found that a number of claimants had come to lodge a non-refoulement claim in Hong Kong merely for the purpose of taking up illegal employment, there was a need to address the problem and the issue was being studied by the Administration, having regard to provisions in existing legislation, court rulings and overseas experience.

33. Referring to paragraph 13 of the Administration's paper, Dr Fernando CHEUNG sought information on the number of persons arrested for smuggling illegal immigrants from the eight designated countries after the Immigration (Unauthorized Entrants) (Amendment) Order 2016 ("the Order") came into force. US for S responded that in a recent case prosecuted under the Order, the defendant had been sentenced to an imprisonment term of five years and three months. A few other cases prosecuted under the Order were scheduled for trial in the second half of 2017. He said that the Order as well as collaboration between law enforcement agencies ("LEAs") of Hong Kong and the Mainland to combat illegal immigration had effectively reduced the smuggling of NEC illegal immigrants into Hong Kong.

Other issues

34. Noting that most non-refoulement claimants were male and aged under 40, Mr CHAN Chun-ying asked whether these claimants would be arranged to perform voluntary work. US for S responded that the issue

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could be explored, but it should be noted that it was unlawful for claimants to take up employment in Hong Kong.

35. Referring to paragraph 29 of the Administration's paper, Mr Alvin YEUNG asked about the problems encountered in the timely removal of unsuccessful claimants and how the problems were addressed. AD of Imm (E) responded that among unsuccessful claimants to be removed, many did not have a valid travel document and the time taken for the reissuance of travel documents to these persons ranged from two weeks to six months. The Administration was liaising with the consulates of relevant countries to expedite the reissuance of travel documents to these persons.

36. Referring to paragraph 27 of the Administration's paper, Mr CHAN Chi-chuen said that the Administration should explain the need for the proposed creation of 35 posts for ImmD. US for S explained that as there was an increase in the number of NEC illegal immigrants released on recognizance arrested for crime, there was a need for more immigration detention facilities and to strengthen ImmD's manpower at the Castle Peak Bay Immigration Centre.

V. Preventing and tackling terrorist activities
(LC Paper Nos. CB(2)1533/16-17(05) and (06))

37. US for S briefed members on the preparatory work and contingency measures taken by the Administration to guard against and tackle terrorist activities.

38. Members noted an information note entitled "Preventing and tackling terrorist activities" prepared by the LegCo Secretariat.

Terrorist threat level

39. Mr POON Siu-ping commended the Police and other LEAs for their counter-terrorism ("CT") efforts. Noting that the terrorist threat level of Hong Kong was "moderate", he asked whether there were international standards for determining terrorist threat level. He also asked whether different CT measures had been drawn up by the Administration for different terrorist threat levels.

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40. US for S responded that the Administration had studied the mechanism adopted in other places before determining the terrorist threat assessment framework of Hong Kong. He said that while different CT measures had been drawn up by the Administration for coping with different terrorist threat levels, the measures might be modified to cater for different circumstances.

41. Noting from paragraph 4 of the Administration's paper that the terrorist threat level of Hong Kong was "moderate", Mr Holden CHOW asked whether the terrorist threat level of Hong Kong had been determined as "high" or "low" in the past.

42. US for S responded that according to his memory, the terrorist threat level of Hong Kong had remained "moderate" for a long period of time, although the terrorist threat level in relation to some individual events, such as the visit of a foreign national leader, had been determined as "high".

43. Mr LEUNG Che-cheung asked whether the terrorist threat level of Hong Kong should be determined as "high" instead of "moderate". US for S responded that the terrorist threat level of Hong Kong was determined in accordance with established mechanism. The present terrorist threat level of Hong Kong was "moderate", which meant that whilst there was a possibility of attack, there was no specific intelligence indicating that Hong Kong was likely to be a target.

Counter-terrorism information and measures

44. Mr Jeffrey LAM expressed concern that there were recently a number of terrorist attacks in different parts of the world. He asked whether more closed-circuit television ("CCTV") cameras would be installed at public places to facilitate the detection of terrorist activities. US for S responded that while the Administration was aware of the effectiveness of CCTV cameras in facilitating the detection of crime, a balance had to be struck between prevention and detection of crime, and the protection of privacy.

45. Mr Jimmy NG expressed concern that in a recent case in which a bomb-like object was identified near Ocean Terminal on 30 May 2017, many people were standing and watching outside the police cordon line, without awareness of the safety risks involved. Although the website of the Security Bureau contained security advice and information on how to

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handle incidents of discovery of suspicious objects and bombs, such advice and information were only set out in text. He considered that such information should be presented in more interesting ways. Referring to paragraph 18 of the Administration's paper, Mr NG sought information on the channels for dissemination and publicity of CT information by the Administration.

46. US for S thanked Mr Jimmy NG for the suggestion and responded that the Administration would consider presenting security advice and suggestions and information on the handling of emergency incidents in more interesting ways. He said that anti-crime information was disseminated by the Police through different social media, such as Facebook and Instagram.

47. Ms Claudia MO said that the Administration should provide the public with more information on the precautions when encountering "lone-wolf" terrorist attacks.

48. Mr CHEUNG Kwok-kwan expressed concern about the prevalence of "lone-wolf" terrorist attacks in other countries. He asked whether the Administration would educate members of the public on how to respond when encountering such incidents.

49. US for S responded that the Security Bureau had produced illustrated booklets to advise the public on what a person should do when encountering emergency incidents. The Police had stepped up patrol at high-risk locations and examine different methods as well as equipment for combating such terrorist attacks.

50. Assistant Commissioner of Police (Operations) ("ACP(Ops)") said that since April 2017, the Police had produced and disseminated 19 anti-terrorism posts through various social media, including the Hong Kong Police YouTube, Hong Kong Police Facebook and Hong Kong Police Instagram, to enhance the alertness of the public to terrorism and major dangerous incidents, including the need to leave the dangerous scenes as soon as possible. The Police was actively considering the incorporation of interactive elements in their CT publicity materials and identifying more channels for dissemination of CT information.

51. Mr POON Siu-ping expressed concern that the terrorist incident of explosion in a concert by a singer in Manchester in May 2017 had caused substantial casualties. He asked whether CT measures would be drawn

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up for a large-scale concert to be held by the same singer in Hong Kong in September 2017. US for S responded that relevant units of the Police would formulate and coordinate effective CT strategies for ensuring security of major events and these would include action by the event organizers.

52. Mr CHAN Chi-chuen asked whether footages of the 259 CT and major incident contingency exercises could be used to produce an Announcement of Public Interest to educate the public on what they should do in different dangerous situations. He also asked whether the Administration had considered the evacuation arrangements for members of the public in major incidents. US for S responded that the Administration would strengthen public education through various social media to enhance the public's knowledge in safety and evacuation. He said that sufficient manpower and signage were vital to orderly evacuation.

53. Mr Charles MOK expressed concern about the prevalence of "lone-wolf" terrorist attacks with the use of vehicles in other countries. He asked whether intelligence was exchanged with other jurisdictions. He also asked whether the Administration would educate the public on what to do when encountering terrorist attacks.

54. US for S responded that the exchange of intelligence with other jurisdictions was an important element of the Administration's CT work. The Administration would continue to instill safety knowledge among the public, thereby enhancing their alertness and responsiveness to major dangerous incidents. CT exercises participated by different stakeholders had also been conducted.

Counter-terrorism exercises

55. Mr CHAN Chun-ying said that it was important for the Administration to educate the public on how to react in terrorist attacks and major dangerous incidents. Referring to paragraph 11 of the Administration's paper, he asked whether the 15 major exercises scheduled by the MTR Corporation Limited in 2017 included CT exercises. He also asked whether CT and major incident contingency exercises would also be conducted with other modes of public transport.

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56. US for S responded that the participation of operators of different modes of public transport was one of the key elements of CT and major incident contingency exercises. He said that a recent large-scale CT exercise codenamed Windgate coordinated by the Security Bureau had been participated by approximately 40 government departments and organizations whereas some other exercises involved airline companies, power plant, ship dockyard, school and water treatment plant. ACP(Ops) said that the 15 major exercises scheduled by the MTR Corporation Limited for this year included CT exercises, which would be participated by the Police's counter terrorism units and the Fire Services Department, and major incident contingency exercises.

57. Ms YUNG Hoi-yan expressed concern about recent "lone-wolf" attacks in other countries and asked whether the Administration would strengthen CT measures at venues where major events were held. US for S responded that the Police had expanded its work from the protection of critical infrastructures to the provision of advice to organizers of high risk major events on security measures, equipment and security manpower. The Police would also assess the safety risks concerned and deploy appropriate manpower as necessary.

58. Mr YIU Si-wing asked whether the Administration had strengthened CT measures for major events around 1 July 2017 in celebration of the 20th anniversary of the establishment of HKSAR.

59. Ms Claudia MO asked whether the Administration had drawn up CT measures in relation to possible visits of national leaders to Hong Kong on 1 July 2017.

60. US for S responded that the Administration would assess the risks involved in each event and adopt appropriate measures as necessary, having regard to the nature of activities and circumstances of individual events. The Administration had drawn up two-tier CT and security measures for major events in celebration of the 20th anniversary of the establishment of HKSAR.

Immigration control measures against terrorists

61. Mr YIU Si-wing asked whether the Administration would refuse the entry of visitors with a security threat to Hong Kong. US for S responded that regardless of whether major events were held in Hong Kong, appropriate immigration control measures were taken by ImmD at various control points.

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62. Mr LEUNG Che-cheung asked about the number of visitors who had been refused entry into Hong Kong on the ground that they would pose a security threat to Hong Kong. US for S responded that the Administration would examine whether such information was available.

(Post-meeting note: The Administration subsequently advised that it did not maintain such information.)

63. Dr CHENG Chung-tai asked whether ImmD had a black list of visitors. US for S responded that ImmD did not have a black list of visitors. Similar to the practice of immigration authorities of many places, a watch-list was maintained by ImmD. Where there was intelligence identifying a person as a terrorist or terrorist associate, ImmD would put his personal particulars on a watch-list. Whether the person would be allowed entry into Hong Kong would be considered having regard to the circumstances of each case. Dr CHENG requested the Administration to provide information on the criteria for inclusion of a person's name in ImmD's watch-list.

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64. The Chairman asked whether the Administration could refuse the entry of a Hong Kong resident, if there was intelligence indicating that the person had participated in terrorist activities abroad.

65. US for S responded that a Hong Kong permanent resident had the right to enter Hong Kong. If the person had entered Hong Kong and there was intelligence indicating that the person had participated in terrorist activities abroad, LEAs in Hong Kong had a duty to investigate whether the person had participated in unlawful activities. He added that to implement certain requirements of the United Nations Security Council Resolution 2178 and the Financial Action Task Force, the Administration would introduce a bill to criminalize, among other things, any Hong Kong permanent resident leaving Hong Kong for a foreign state for the purpose of perpetration, planning or preparation of, or participation in, terrorist acts, or the provision or receiving of terrorist training.

Other issue

66. Dr CHENG Chung-tai expressed concern about media reports that the Air Traffic Control system at the Hong Kong International Airport had been interfered by radio signals believed to be emitted from a police vehicle during the visit of the leader of a foreign country. He asked

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whether such radio signals were part of CT measures. US for S responded that the matter had been dealt with by the Office of the Telecommunications Authority. Whilst the Police had to take appropriate CT measures when there were risks of terrorist attack, the action taken would be in accordance with the law. The Chairman said that a letter relating to the issue from Mr Nathan LAW and the Administration's reply had already been issued to members for information.

67. There being no other business, the meeting ended at 5:00 pm.

Council Business Division 2
Legislative Council Secretariat
18 September 2017