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Secretary General
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms Joyce CHAN)

Dear Ms Chan,

**Guangzhou-Shenzhen-Hong Kong Express Rail Link
(Co-location) Ordinance (Commencement) Notice (L.N. 154 of 2018)**

We refer to your letter dated 31 August 2018. Regarding the questions concerning the commencement date of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance (Cap. 632) (“Ordinance”), our reply is as follows.

Section 1(2) of the Ordinance provides that the Ordinance comes into operation on a day to be appointed by the Secretary for Transport and Housing by notice published in the Gazette. As stated by the Government of the Hong Kong Special Administrative Region (“HKSAR”) to the relevant Bills Committee of the Legislative Council during the local legislative process (see LC Paper No. CB(4)1007/17-18(01) issued on 30 April 2018), the HKSAR Government understands that the Mainland personnel need to conduct final

preparatory works at the West Kowloon Station Mainland Port Area (“MPA”) prior to the commissioning of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (“XRL”), such as ensuring that all requisite materials have been delivered to the MPA and familiarising themselves with the relevant operational procedures. The HKSAR Government needs to consider whether it would be necessary for the Ordinance to come into operation in a short period of time before the commissioning of the Hong Kong Section of the XRL, so as to ensure that the West Kowloon Station MPA can operate smoothly after the commissioning of the Hong Kong Section of the XRL.

Upon detailed discussion with the Mainland, the Secretary for Transport and Housing decided to appoint 4 September 2018 as the day on which the Ordinance would come into operation to dovetail with the commissioning of the Hong Kong Section of the XRL in the same month. The relevant Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance (Commencement) Notice (“Commencement Notice”) was gazetted on 31 August 2018. With effect from 00:00 on 4 September 2018, for the purposes of the application of laws and the delineation of jurisdiction in the MPA, the Mainland exercises jurisdiction over the non-reserved matters as defined in the Ordinance in accordance with the Co-operation Arrangement between the Mainland and the Hong Kong Special Administrative Region on the Establishment of the Port at the West Kowloon Station of the Guangzhou-Shenzhen-Hong Kong Express Rail Link for Implementing Co-location Arrangement (“Co-operation Arrangement”) and the laws of the Mainland. Personnel from the Mainland Authorities Stationed at the Mainland Port Area also work in the West Kowloon Station MPA to make final preparations for the implementation of the co-location arrangement. As stated in the decision of the Standing Committee of the National People’s Congress on 27 December 2017, these personnel shall not enforce the law in any area outside the West Kowloon Station MPA.

Starting from the same day (i.e. also with effect from 00:00 on 4 September 2018), the Hong Kong Port Area within the West Kowloon Station is also declared, in accordance with the provisions of the

Co-operation Arrangement, as a cross-boundary restricted area by the MTR Corporation Limited (“MTRCL”) by notice published in the Gazette pursuant to the laws of the HKSAR (i.e. Mass Transit Railway By-laws (Cap. 556B)). The aforementioned notice to declare the cross-boundary restricted area was also gazetted on 31 August 2018.

With the implementation of the Ordinance and the cross-boundary restricted area arrangement, persons who enter or leave the two port areas shall produce the cross-boundary restricted area permits issued by the MTRCL, and shall undergo clearance procedures of both sides. This arrangement assists the clearance departments of both sides to better familiarise themselves with the actual operation of the West Kowloon Station Port in preparation for the formal commencement of operation of the Hong Kong Section of the XRL on 23 September 2018, and to conduct clearance procedures for passengers in a smooth manner, thereby unleashing the full benefits of the XRL in terms of speed and convenience.

Prior to the gazettal of the Commencement Notice on 31 August 2018, the HKSAR Government issued on 30 August 2018 an information paper titled “Right to Use and Commissioning Arrangements of the West Kowloon Station Mainland Port Area” (LC Paper No. CB(4)1518/17-18(01)) to the Panel on Transport of the Legislative Council setting out the relevant arrangements, which was provided for Members’ information at the meeting of the Panel on Transport held on 31 August 2018.

Yours sincerely,



(Ronald CHENG)

for Secretary for Transport and Housing