

立法會
Legislative Council

LC Paper No. CB(4)90/18-19(03)

Ref. : CB4/SS/11/17

**Subcommittee on Guangzhou-Shenzhen-Hong Kong Express Rail Link
(Co-location) Ordinance (Commencement) Notice**

Background brief

Purpose

This paper provides background information on the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance (Commencement) Notice ("Commencement Notice"). It also summarizes the major views and concerns expressed by members of the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill ("Bills Committee") on the subject.

Background

2. The Hong Kong Section ("HKS") of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL") is a 26 kilometres long underground rail corridor running from West Kowloon to Shenzhen, where it connects to the Mainland section of XRL. It provides high-speed rail service between the Hong Kong West Kowloon Station ("WKS") and 44 Mainland destinations, including 6 short-haul destinations and 38 long-haul destinations. According to the information provided by the Administration in August 2018, during the early stage of commissioning of XRL, there would be 114 pairs of short-haul trains daily during peak periods and 13 pairs of direct long-haul trains daily. Subject to the market demand, the train schedule can be suitably adjusted based on the patronage.¹ The HKS of the XRL has formally commenced operation on 23 September 2018.

¹ Source: LC Paper No. CB(4)1500/17-18(01)

Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance

3. The Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill ("the Bill") was passed by the Legislative Council ("LegCo") at the Council meeting of 13 June 2018 and the Ordinance was published in the Gazette as the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance (Cap. 632) ("the Ordinance") on 22 June 2018. The Ordinance implements the co-location arrangement at WKS, under which passengers can complete clearance procedures of both Hong Kong and the Mainland at WKS successively.

4. Pursuant to section 1(2) of the Ordinance, the Ordinance comes into operation on a day to be appointed by the Secretary for Transport and Housing ("STH") by notice published in the Gazette.

The Commencement Notice

5. The Administration advised in August 2018 that upon detailed discussions with the Mainland, STH decided to appoint 4 September 2018 as the day on which the Ordinance comes into operation to dovetail with the commencement of operation of the HKS of the XRL on 23 September 2018.² The Commencement Notice was published in the Gazette on 31 August 2018 and tabled before LegCo on 10 October 2018.

Members' major views and concerns

6. A Bills Committee was formed at the House Committee meeting on 2 February 2018 to study the Bill in detail.³ During the course of scrutiny, members of the Bills Committee were concerned whether the commencement date of the Bill would tie in with the commissioning date of the HKS of the XRL. They expressed concern about the legal basis for allowing the Mainland personnel to conduct preparatory work, including installation and testing of immigration inspection equipment, in the Mainland Port Area ("MPA") before the commissioning of the HKS of the XRL.

7. The Administration indicated that the Mainland personnel needed to conduct final preparatory work at the MPA prior to the commissioning date of the HKS of the XRL. As such, it would be necessary for the enacted Ordinance to come into operation in a short period of time before the

² Source: LC Paper No. CB(4)1518/17-18(01)

³ The report of the Bills Committee is hyperlinked in the Appendix.

commissioning of the HKS of the XRL so as to ensure that the MPA could operate smoothly after its commissioning. Members may refer to paragraphs 69 to 71 of the report of the Bills Committee (LC Paper No. CB(4)1163/17-18) for details.

Latest developments

8. At the meeting of the House Committee on 5 October 2018, Members agreed to form a subcommittee to study the Commencement Notice.

Relevant papers

9. A list of relevant papers is set out in the **Appendix**.

Council Business Division 4
Legislative Council Secretariat
25 October 2018

List of relevant papers

Date of meeting	Committee	Minutes/Paper	LC Paper No.
February to May 2018	Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill	Legislative Council Brief	File Ref.: THB(T)CR 9/1/16/581/99 http://www.legco.gov.hk/yr17-18/english/bills/brief/b201801261_brf.pdf
		Legal Service Division Report	LS31/17-18 http://www.legco.gov.hk/yr17-18/english/hc/papers/hc20180202ls-31-e.pdf
25 May 2018	House Committee	Report of the Bills Committee	CB(4)1117/17-18 http://www.legco.gov.hk/yr17-18/english/hc/papers/hc20180525cb4-1117-e.pdf
6 June 2018	Council meeting	Report of the Bills Committee	CB(4)1163/17-18 http://www.legco.gov.hk/yr17-18/english/bc/bc102/reports/bc10220180606cb4-1163-e.pdf
13 June 2018	Council meeting	The Bill passed	http://www.legco.gov.hk/yr17-18/english/ord/2018ord023-e.pdf
5 October 2018	House Committee	Legal Service Division Report	LS94/17-18 http://www.legco.gov.hk/yr17-18/english/hc/papers/hc20181005ls-94-e.pdf