

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

香港添馬添美道 2 號

[Translation]

2 Tim Mei Avenue, Tamar, Hong Kong

本函檔號 Our Ref.: SBCR 3/1486/98

來函檔號 Your Ref.: CB4/SS/9/18

電話號碼 TEL. NO. : 2810 2302

傳真號碼 FAX. NO. : 2524 3762

來函傳真 YOUR FAX. : 2840 0716

10 June 2019

Legislative Council Secretariat
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Ms Angel WONG)

Dear Angel,

**Subcommittee on
Subsidiary Legislation Relating to the Central Military Dock
Follow-up to the meeting on 28 May 2019**

Regarding the information requested by the Subcommittee on Subsidiary Legislation at the meeting on 28 May 2019, the Security Bureau provides the following response –

The Central Military Dock (“CMD”) is a military facility situated on a military site. The People’s Liberation Army Hong Kong Garrison (“the Garrison”) will in future consider, under the condition that it is permitted under defence arrangements, opening up the CMD. However, regardless whether the CMD is opened up, it is still used for defence purpose. Furthermore, the CMD will be a military facility at all time and its legal status will not change due to its opening.

Since 1 July 1997, the Garrison has been performing defence functions in strict accordance with the Basic Law and the Garrison Law and abiding by the laws of the Hong Kong Special Administrative Region (“HKSAR”). The Garrison will manage the CMD according to the Garrison Law and the laws of the HKSAR where applicable. The exact opening time

and other relevant details of opening the CMD fall within the scope of the Garrison's defence work concerning management of military facilities which are to be decided by the Garrison. The Garrison is considering the relevant details and will inform the public in due course. The HKSAR Government will respect the decision of the Garrison. Regarding questions such as the number of personnel stationing at the CMD, whether the CMD will be stationed by Garrison members, the timing of stationing and the equipment to be possessed by the stationing personnel, they fall under the scope of the Garrison's defence work concerning management of military facilities which are to be decided by the Garrison. The HKSAR Government has no relevant information to provide.

According to Article 12 of the Garrison Law, guards of military restricted zones shall have the right to stop according to law any unauthorized entry into any military restricted zones or any act which damages or endangers any military facilities. Members of the Garrison may, in accordance with the provisions of the laws in force in the HKSAR, take measures to stop any act which obstructs their performance of official duties (including managing military facilities). When the Protected Places (Safety) (Authorized Guards) (Amendment) Order 2019 becomes effective, "authorized guards" engaged by the Garrison may exercise the power provided to them under the Protected Places (Safety) Ordinance (Cap. 260) to protect and prevent the theft of or damage to any property in or upon the "protected place"; and arrest any person whom he reasonably suspects of entering, attempting, or intending to enter the "protected place" without proper authority, or whom have acted illegally or otherwise without proper authority within such place, and hand over the arrested person to a member of the Police as soon as conveniently may be. Should there be situations where the peace and public order of the society are jeopardized or in the event of other crimes, the Police will conduct enforcement actions according to the local laws. The Garrison will strengthen communication with the Police on the protection of the CMD.

Yours sincerely,

(Trinky CHAN)
for Secretary for Security