

立法會
Legislative Council

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(These minutes have been seen
by the Administration)

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LegCo Panel on Security

Minutes of meeting
held on Thursday, 4 May 2000 at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon James TO Kun-sun (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Deputy Chairman)
Hon David CHU Yu-lin
Hon CHEUNG Man-kwong
Hon Howard YOUNG, JP
Hon LAU Kong-wah
Hon Andrew CHENG Kar-foo

Members absent : Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, JP
Hon Gary CHENG Kai-nam, JP

Public Officers attending : Item III
Mrs Clarie LO
Commissioner for Narcotics
Security Bureau

Mr Albert TSANG
Statistician
Security Bureau

Mr KOO Sii-hong, Henrique
Chief Superintendent, Narcotics Bureau
Hong Kong Police Force

Mr CHAN Hon-kit
Head of Customs Drug Investigation Bureau
Customs and Excise Department

Mr Thomas TAM
Senior Pharmacist, Pharmaceutical Service
Department of Health

Mr TSUI Pui
Senior Chemist, Forensic Science Division
Government Laboratory

Item IV

Mr Timothy TONG
Deputy Secretary for Security 3

Miss Cathy CHU
Principal Assistant Secretary for Security C

Ms Cynthia WONG
Assistant Secretary for Security D

Mr P T CHOY, JP
Deputy Director of Immigration

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Mr Raymond LAM
Senior Assistant Secretary (2) 5

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- I. Confirmation of minutes of special meeting held on 3 March 2000 and meeting held on 6 April 2000 and matters arising**
(LC Paper Nos. CB(2) 1815/99-00, CB(2) 1817/99-00 and CB(2) 1814/99-00(01))

The minutes of the special meeting held on 3 March 2000 and meeting held on 6

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April 2000 were confirmed.

2. Members noted the list of follow-up actions required of the Administration.

II. Date of next meeting and items for discussion

(LC Paper No. CB(2) 1814/99-00(02))

3. Members agreed to discuss the following items at the next regular meeting to be held on 1 June 2000 at 2:30 pm -

- (a) Draft Report of the Panel on Security for submission to the Legislative Council;
- (b) Progress Report on the Hong Kong Special Administrative Region (HKSAR) Identity Card Project; and
- (c) Verification of parentage of persons claiming right of abode - genetic test arrangements.

4. Members further agreed to discuss the following items at a special meeting to be held on 15 June 2000 at 2:30 pm -

- (a) Revision of fees and charges;
- (b) Safe transportation of used vehicles and spares in containers; and
- (c) Review of the Police Information System Strategy.

Issues relating to enforcement actions taken by the Mainland Public Security Officers in the territory of Hong Kong

5. Members agreed that a meeting be convened to discuss issues arising from Hong Kong residents detained in the Mainland, including issues relating to the enforcement actions taken by the Mainland Public Security officials in the territory of Hong Kong when the Administration had received relevant information regarding a recent report about Mainland Public Security officials staging a raid in 1995 on a flat in Hong Kong to seize documents in the investigation of a case.

Report of the Panel on Security (the Panel) to the Legislative Council

6. The Chairman informed members that while the draft report of the Panel covering the work up to the meeting on 4 May 2000 would be considered by members at the next meeting on 1 June 2000, the final draft including issues discussed at Panel meetings in June would be circulated to members for endorsement. Members agreed that the report of the Panel be tabled at the Council meeting on 21 June 2000.

III. Abuse of psychotropic substance in Hong Kong

(LC Paper No. CB(2) 1329/99-00(01))

7. At the invitation of the Chairman, Commissioner for Narcotics (C for N), Senior Pharmacist (Pharmaceutical Service) (SP(PS)), Chief Superintendent (Narcotics Bureau)/Hong Kong Police Force (CSP(N)) and Head of Customs Drug Investigation Bureau (HCDIB) briefed members on the situation of drug abuse in Hong Kong and the measures adopted by the Hong Kong Police Force (the Police) and the Customs and Excise Department (the Customs) in tackling the problem.

(Post-meeting note : The presentation materials tabled at the meeting was circulated to absent members vide LC Paper No. CB(2) 1905/99-00 on 8 May 2000.)

8. Mr Howard YOUNG asked whether there had been a change in recent years from the trafficking of methylamphetamine ("ice") to abuse of "ice" in Hong Kong. He also asked about the source of "ice" taken by drug abusers in Hong Kong.

9. CSP(N) responded that there had been a general trend of increasing number of "ice" abusers around the world. Although the increase in the number of "ice" abusers in Hong Kong was substantial, it was not as much as those experienced in South-East Asian countries and Japan. He said that only 6 to 7% of reported drug abusers were reported to have abused "ice", as compared to 40% in Thailand and 90% in Japan. He informed members that most of the "ice" taken by drug abusers in Hong Kong was manufactured and imported from the Mainland. He said that there was also a demand for "ice" in the Mainland. He added that the Mainland and Hong Kong enforcement authorities were closely monitoring the situation.

10. Mr CHEUNG Man-kwong expressed concern that the percentage of reported drug abusers aged under 21 who took psychotropic substance had increased from 31.8% in 1994 to 57.9% in 1999. He asked about the measures adopted by the Administration to tackle the problem of Hong Kong residents crossing the boundary solely for the purpose of taking drugs in the Mainland, and the trafficking of drugs from the Mainland to Hong Kong. He also asked whether such trafficking activities had become more serious in recent years.

11. C for N referred to paragraph 2 of the Administration's paper entitled "Psychotropic Substance Abuse in Hong Kong" and said that the actual number of psychotropic substance abusers aged under 21 was 1 238 in 1994 and 1 263 in 1999. The number had therefore remained relatively stable. The substantial percentage increase was due to a decline in the overall number of reported drug abusers. The problem of Hong Kong residents crossing the boundary solely for the purpose of taking drugs was not as serious as the media had reported. In the Mainland, drug abuse was illegal and persons arrested of trafficking drugs could be sentenced to death. There were also compulsory rehabilitation programmes for drug abusers. Nevertheless, the Administration had reflected the concern to the relevant authorities in the Mainland,

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and the concern had been addressed. In 1999, the Customs had increased the number of personal check on incoming passengers. However, the number of persons arrested was only less than 100. The Administration would step up its publicity and education efforts against drug abuse.

12. HCDIB said that information obtained from social workers and persons arrested had been provided to the Mainland authorities for combating the sale of illicit drugs. He added that the Customs had increased the number of personal search on incoming passengers at Lo Wu from about 7 800 in 1998 to about 8 400 in 1999.

13. Mr CHEUNG Man-kwong asked about the measures adopted by the Administration in combating the dissemination and selling of illicit drugs in recreational venues such as discotheques, bars and karaoke establishments. He asked whether the Police was maintaining a list of establishments where the sale of illicit drugs was most frequently found and adopted special measures against these establishments.

14. CSP(N) responded that frequent raids were made by the Police on recreational venues, especially those where illicit drugs was previously found on sale. He said that the problem was not widespread among recreational establishments. Besides raids carried out by Police of the relevant districts, undercover operations were also conducted by the Narcotics Bureau of the Police. He added that persons in charge of recreational establishments were found to be not involved in such activities. They were actually very concerned about the selling of illicit drugs in their establishments, as such activities might hinder the renewal of their establishment licence. He added that the Police had maintained a list of recreational establishments where illicit drugs was previously found on sale. While he had no detailed information on hand, there were not many establishments on the list and there had been very few prosecutions against the selling of illicit drugs in such establishments. CSP(N) said that there was a general trend for drug abusers, including those currently taking cannabis, to switch to the taking of "ecstasy".

(Post-meeting note : The Administration advised that there were currently 78 recreational establishments on Police intelligence records where illicit drugs might possibly be obtained.)

15. Mr LAU Kong-wah said that there was an increasing number of Hong Kong residents crossing the boundary to take drugs in the Mainland where drugs were sold at a much lower price. He expressed concern that there had been a sharp increase in the number of "ecstasy" abusers in Hong Kong and the amount of "ecstasy" seized by the Police had substantially increased from 21 202 tablets in 1999 to 30 135 tablets in the first quarter of 2000. The number of persons arrested in connection with "ecstasy" had increased from 74 in 1999 to 63 in the first quarter of 2000. He asked whether additional measures would be adopted by the Administration at the immigration check-points and whether the sentence for offenders would be increased. He also asked about the number of Hong Kong residents arrested for drug abuse in the Mainland. C for N responded that price of "ecstasy" was sometimes more expensive in the Mainland

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than in Hong Kong.

16. The Chairman asked whether new abusers of "ecstasy" were formerly abusers of other drugs. Statistician/Security Bureau responded that an analysis conducted among 309 abusers of "ecstasy", triazolam and "ice" revealed that about 30%, 17% and 20% of them had initially taken heroin, cannabis and other drugs respectively. This indicated that a large number of drug abusers were formerly abusers of other illicit drugs.

17. The Chairman asked whether the Administration would adjust its tactics in combating drug crime to cope with a change in the kind of drugs taken by abusers. CSP(N) responded that as persons involved in the sale of "ecstasy" were also involved in the sale of heroin, the change in the type of drugs taken by abusers would not entail any major changes in the Police's tactics in combating drug-related crimes. He said that the Police was committed to combating crimes relating to narcotics.

18. In response to the Chairman, C for N said that social workers in the Mainland had noted that some young people from Hong Kong were crossing the boundary solely for the purpose of taking drugs. Most of them were merely curious and under the influence of peers.

19. To address the problem of an increasing number of Hong Kong people crossing the boundary to take drugs, HCDIB said that the Customs had increased the number of personal search on incoming passengers aged under 21 from about 1 100 persons in 1998 to more than 2 500 in 1999. Information on the sale of illicit drugs in the Mainland were passed to the relevant Mainland authorities, which had agreed to step up enforcement actions against illicit drugs. In two parallel operations with the Mainland authorities in April, two persons were arrested in Hong Kong and another person was arrested in the Mainland.

20. As regards the number of arrests in the Mainland for drug-related offences, HCDIB said that the Mainland Customs authorities had detected about 80 drug-related cases at various Customs clearance checkpoints at the boundary in the previous year. As regards drug seizures by the Public Security officials in the Mainland, CSP(N) said that he did not have the information on hand and undertook to provide the information in writing.

(Post-meeting note : The Administration advised that according to record of the Public Security Bureau (PSB), a total of 32 Hong Kong residents were arrested in Guangdong Province for serious drug offences in 1999 and six Hong Kong residents were arrested in the first quarter of 2000. There were no statistics kept by PSB on the number of Hong Kong residents arrested for minor drug offences. According to the record of Mainland Customs, there were a total of 88 persons arrested in connection with drug cases in 1999 at Luohu and Huanggang (adjacent to Lokmachau in Hong Kong) checkpoints of whom about 70 were Hong Kong residents.)

21. On the question of whether the sentence for offenders should be increased,

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CSP(N) said that a person in possession of more than 800 grams or 60 000 tablets of “ecstasy” was liable on conviction to imprisonment of more than eight years in Hong Kong. There was a recent case in which a person convicted of possession of 8 000 tablets was sentenced to eight years’ imprisonment and another case in which a person convicted of possession of 30 000 tablets was sentenced to imprisonment for seven years and six months. He considered that the current level of sentence was appropriate.

22. The Chairman asked whether meetings were held with relevant Mainland authorities to address the cross-boundary drug issues. CSP(N) said that the Police frequently hold meetings with its counterparts in the Mainland to exchange views and information on cross-boundary drug issues. HCDIB added that the Customs had carried out two parallel operations with its counterpart in the Mainland in April. The Customs would step up its cooperation with its Mainland counterpart in combating cross-boundary drug trafficking.

23. The Chairman asked about the sentence for drug abusers arrested in the Mainland. CSP(N) said that there were guidelines on the sentencing of possession of heroin and “ice” for the Mainland courts. This was used as a reference in the sentencing of possession of other drugs. The sentences, which were much heavier than those in Hong Kong, were as follows -

<u>Quantity of illicit drugs</u>	<u>Sentence</u>
less than 10 grams of "ice" or 200 grams of heroin	three years' imprisonment or less
10 grams to less than 50 grams of "ice" or 200 grams to one kilogram of heroin	seven years' imprisonment or more
more than 50 grams of "ice" or one kilogram of heroin	15 years' determinate sentence or death sentence

24. The Chairman said that efforts should be targetted at drawing parents' attention to their children’s cross-boundary trips. APIs should also be produced to enhance parents’ awareness of the latest trend of drug abuse. C for N agreed with the view of the Chairman. She said that besides holding talks on drug abuse in schools, publicity would be stepped up to enhance the awareness of parents on the activities of their children.

25. Mr LAU Kong-wah asked about the quantity of illicit drugs possessed by 20 persons aged under 21 arrested by the Customs in 1999. HCDIB said that more than half of the cases involved the possession of less than 200 tablets or 2.5 grams of illicit drugs. A few cases only involved the possession of less than 10 tablets. “Ecstasy” was found in very small quantity of three to four tablets. Illicit drugs in quantities of more than 200 tablets were usually other drugs such as Midazolam.

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26. The Chairman said that the issue might be discussed again in one year's time.

IV. Travel convenience for visitors to Hong Kong
(LC Paper No. CB(2) 1814/99-00(03))

27. The Chairman said that arising from Dr LUI Ming-wah's concern at the Panel meeting on 6 April 2000 about the arrangements for the entry of non-official Mainland residents to Hong Kong for business visits, members had agreed that the Administration be requested to provide information on the issue before members decided whether it should be discussed at this meeting. He informed members that no member had proposed discussion of the issue after the relevant information provided by the Administration was circulated to members vide LC Paper No. CB(2) 1794/99-00 on 27 April 2000.

28. At the invitation of the Chairman, Deputy Secretary for Security 3 (DS for S3) briefed members on the Administration's efforts to enhance the travel convenience of visitors to Hong Kong.

29. Referring to paragraph 13 of the Administration's paper, Mr CHEUNG Man-kwong pointed out that the annual number of Taiwan visitors was about 1.9 million and they had been the second largest tourist group visiting Hong Kong in the past three years. He questioned why visa-free entry into Hong Kong was provided to visitors from over 170 countries but not visitors from Taiwan. He asked about the reasons for not granting visa-free entry to visitors from Taiwan.

30. DS for S3 responded that under the "One China" principle, the Administration would not grant visa-free entry to visitors from Taiwan. Principal Assistant Secretary for Security C (PAS(S)C) elaborated that under the "One China" principle, it was the Administration's policy of not accepting documents issued by the Government of Taiwan. As each visitor to Hong Kong was required to have a valid travel document, visitors from Taiwan were required to apply for Taiwan Visit Permits (TVPs) issued by the Immigration Department (ImmD), the jumbo size version of which allowed multiple journey and had a validity of three years. She added that the Administration had made continuous efforts over the past few years to facilitate Taiwan residents to travel to Hong Kong, such as shortening the processing time of TVPs from seven working days to five working days. ImmD would soon conduct a feasibility study on the issuing of TVPs by electronic means, which would shorten the processing time of a TVP from a few days to less than an hour.

31. Mr CHEUNG Man-kwong said that he had received complaints from a number of Taiwan businessmen that they were required to hold a flimsy declaration letter certified by a solicitor and bearing the name, date and place of birth of the holder for ImmD to make a chop at the immigration checkpoints. The letter usually became old and worn after it had been used for a number of times. As the investment of Taiwan businessmen in Hong Kong would be beneficial to Hong Kong's economy, he

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questioned why a more durable booklet type permit could not be issued to such businessmen in place of the flimsy letter.

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32. Deputy Director of Immigration (DD of Imm) responded that as the Administration did not accept Taiwan passports as a valid travel document, the declaration letter, properly known as the 'Declaration of Identity for Entry Purposes' (DI), would serve as a travel document and thus chops were stamped on the document at the immigration checkpoints and offices. He undertook to examine the suggestion of replacing the DI with a more durable booklet type permit. In response to the Chairman, DD of Imm explained that Taiwan residents who came to Hong Kong for sightseeing were required to hold a valid TVP, while those who came to Hong Kong for work or business were required to hold a valid DI.

33. The Chairman said that an annual average of 1.9 million Taiwan residents to Hong Kong in the past three years was a huge number, given that Taiwan only had a total population of about 20 million. He said that this might indicate that many Taiwan residents were re-visiting Hong Kong. He asked about the number of permits issued to Taiwan residents in the previous years.

34. PAS(S)C informed members of the number of TVPs issued to Taiwan residents in 1999 as follows -

<u>Type of TVP</u>	<u>Number of permits issued</u>
Single-journey	35 279
Regular size multiple journey (16 pages)	137 149
Jumbo-size multiple journey (32 pages)	73 183
Total	245 611

DD of Imm added that out of about 5 800 Taiwan visitors per day in the last three months, 60% of them entered Hong Kong with TVPs.

35. Mr Howard YOUNG said that Taiwan passports were not accepted by many places as a valid travel document. Hong Kong residents were also required to apply for a permit for travelling to Taiwan. His concern was therefore about whether further improvement could be made to facilitate the processing of TVPs. He said that although the processing time of a TVP was about five working days, the whole process including the delivery of applications and TVPs would take a much longer time. He suggested that the Administration should reconsider a suggestion made before reunification for the offices of the Hong Kong Tourists Association (HKTA) in Taiwan to handle applications for TVPs, which according to his understanding had been rejected by the former Hong Kong Government. He said that although he understood that the former Hong Kong Government had suggested that the handling of TVPs could be made by the tourists association of Taiwan, the latter had already turned down the suggestion. He added that although Mainland residents travelling via Hong Kong to places other than Taiwan were granted a stay in Hong Kong of not more than seven

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days, Taiwan residents travelling via Hong Kong to a place other than the Mainland were not granted such a stay. He considered that Taiwan residents travelling via Hong Kong to a place other than the Mainland should also be granted a stay in Hong Kong of not more than seven days. DS for S3 agreed to consider the suggestion in association with the feasibility study on issuing TVPs by electronic means.

36. Mrs Selina CHOW said that there were estimates that the number of Taiwan visitors would increase by 30% if the processing time of TVPs was shortened from five working days to two working days. If visa-free access was offered to Taiwan residents, the increase would probably be even higher. She considered that the fee for the issue of a TVP was much higher than the visa of many countries and should be reduced. To her knowledge, more than 50% of Taiwan visitors had previously visited Hong Kong. The Administration should therefore separate the processing of applications from Taiwan residents who visited Hong Kong for the first time and those who re-visited Hong Kong so as to expedite the processing of applications.

37. DS for S3 reiterated that it was not the Administration's policy to grant visa-free access to Taiwan visitors. He said that the suggestion regarding the fee for the issue of a TVP would be examined by the Administration. He informed members that the Administration would look into the issuing of TVPs by electronic means, which could shorten the processing time of TVP applications to less than one hour. DD of Imm added that the proposed processing of TVP applications by electronic means would involve the making of applications for TVPs at the offices of airline companies or their agents in Taiwan. Information on the applicants would be transmitted from these offices to ImmD on-line. Upon the receipt of an authorization signal from ImmD, the offices of an airline company or agent would immediately print out a TVP. This should greatly reduce the processing time of applications to between 20 and 30 minutes.

38. As regards the time-table for the feasibility study, PAS(S)C explained that the study would commence in May 2000 and last for about six months. It was expected that the results should be available by the end of the year. Mrs Selina CHOW considered that the feasibility study should be expedited. She added that Australia was already issuing visa to Hong Kong residents by electronic means. DD of Imm said that the situation in Australia differed in that the passport issued by the Government of HKSAR was accepted by Australia as a valid travel document.

39. The Chairman concluded that members generally hoped that more efforts should be made by the Administration to enhance the travel convenience of Taiwan visitors.

40. There being no other business, the meeting ended at 4:35 pm.

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Legislative Council Secretariat
24 May 2000