

Panel on Security**List of follow-up actions**
(position as at 26 January 2005)

Subject	Date of Meeting	Follow-up action required	Administration's response
1. Admission Scheme for Mainland Talents and Professionals	4 April 2003 (Joint meeting with the Panel on Manpower)	The Administration agreed to provide members with progress reports on the Scheme on a regular basis.	Progress report on the Scheme for the period from 1 April 2004 to 31 October 2004 was circulated vide LC Paper No. CB(2)382/04-05 on 10 December 2004.
2. Progress of review of the Interception of Communications Ordinance (IOCO)	2 April 2004	The Administration was requested to - (a) provide members with a list of problems associated with IOCO, advise members of the latest development of its work in addressing the problems, inform members of the options being considered and the Administration's inclination on the way forward regarding interception of communications; and	Response awaited.

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	10 June 2004	<p>(b) provide a paper on -</p> <ul style="list-style-type: none">(i) the scope of the Chief Executive's discretion under Article 64 of the Basic Law and section 1(2) of IOCO in deciding whether and when IOCO should come into operation; and(ii) the criteria for determining whether and when IOCO should come into operation. <p>The Administration was requested -</p> <ul style="list-style-type: none">(a) to advise the year from which requests for interception of communications had to be approved by the Chief Executive on a case-by-case basis; and(b) to confirm whether internal guidelines had been issued to the law enforcement agencies on the requirement referred to in paragraph (a) above.	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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3. Policy on integrity checking for disciplined forces	13 May 2004	<p>The Administration was requested to -</p> <ul style="list-style-type: none"><li data-bbox="1099 359 1637 598">(a) advise whether integrity checking on disciplined forces between 2001 and 2003 had resulted in disciplinary actions such as interdiction from duty or termination of employment;<li data-bbox="1099 646 1637 917">(b) provide a comparison between the integrity checking on civil servants and background checks on persons to be appointed to advisory committees and persons to be appointed Justices of the Peace;<li data-bbox="1099 965 1637 1284">(c) advise on the government department, besides the Fire Services Department and the Hong Kong Police Force, where the promotion of an officer was denied as a result of information revealed from integrity checking in the past three years;	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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		<p>(d) provide a paper explaining -</p> <ul style="list-style-type: none">(i) the types of integrity checks applicable to civil servants and other public officers, such as principal officials and the chairmen and members of advisory bodies;(ii) the types of integrity checks conducted at different stages, such as those conducted on appointment or promotion;(iii) the persons responsible for conducting integrity checks and how integrity checks were conducted; and(iv) measures to ensure that integrity checks were conducted independently. <p>(e) provide the Police's new internal guideline on the declaration by a Police officer on his spouse's or dependent's interest in the entertainment business; and</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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		(f) advise whether disciplined forces other than the Police had laid down reporting requirements on the interest of an officer's spouse or dependent in the entertainment business.	Response awaited.
4. Progress of implementation of proposals of the Interdepartmental Working Group on the Law Reform Commission Report on Arrest	6 July 2004	The Police was requested to consider amending the caution statement “唔係事必要你講，除非你自己想講，但你所講的，可能用筆紀錄及用作證供。” along the lines of “你有權保持緘默。保持緘默不會對你構成不利。如你自願作供，供詞將予紀錄，且或會成爲呈堂證供。” and revert to the Panel.	Response awaited.
5. Powers of the Independent Commission Against Corruption (ICAC) to search for and seize journalistic material	29 November 2004	(a) The Department of Justice (D of J) was requested to provide a response on – (i) the basis on which D of J, upon request from the court, referred the investigation of the press coverage of <i>habeas corpus</i> proceedings relating to a witness to ICAC;	Response awaited.

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		<ul style="list-style-type: none">(ii) why D of J did not refer the matter to an independent committee; and(iii) whether there was any conflict of interest with ICAC carrying out the investigation work. <p>(b) ICAC was requested to consider providing the following after all legal proceedings in respect of a case involving the press coverage of <i>habeas corpus</i> proceedings relating to a witness was completed –</p> <ul style="list-style-type: none">(i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and(ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case.	Response awaited.

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<p>6. Progress of implementation of automated passenger clearance and automated vehicle clearance at boundary control points</p>	<p>7 December 2004</p>	<p>The Administration was requested to provide –</p> <p>(a) information on the types and numbers of tests conducted on the automated passenger clearance (APC) system and the results of such tests; and</p> <p>(b) information on its timetable for installation of APC channels, the estimated number of passengers holding suitable smart identity cards, the estimated number of passengers using APC channels and the capacity of APC channels.</p>	<p>Response awaited.</p> <p>- Ditto -</p>
<p>7. Measures to combat illegal employment</p>	<p>7 December 2004</p>	<p>The Administration was requested –</p> <p>(a) to provide information on the number of cases where employers were sentenced to less than 15 months' imprisonment for employing illegal immigrants; and</p>	<p>Response awaited.</p>

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		(b) to consider providing, on a confidential basis, information on the provinces and cities where illegal workers came from.	Response awaited.
8. Proposal to amend the Aviation Security Ordinance	7 December 2004	The Administration was requested to provide overseas precedents relating to the acts referred to in paragraph 10(a) and (b) of the Administration's paper entitled "Proposal to amend the Aviation Security Ordinance (Cap. 494)" (LC Paper No. CB(2)305/04-05(04)).	Response awaited.
9. Issues relating to right of abode in the Hong Kong Special Administrative Region under Article 24(2)(3) of the Basic Law	19 January 2005	The Administration was requested to provide a paper explaining, from a legal point of view, the relationship between immigration policy and the discretion of the Director of Immigration under the Immigration Ordinance to allow a person to stay in Hong Kong.	Response awaited.
10. Provision of meals for inmates of different races/nationalities in penal institutions	19 January 2005	The Administration was requested to provide a paper on the differences in the meals provided for inmates of different races/nationalities in penal institutions.	Response awaited.

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11. Declaration of interests by members of the Executive Council and principal officials	19 January 2005	The Independent Commission Against Corruption was requested to provide its views on – (a) whether blind trusts for principal officials were preferred to family trusts as a measure for preventing any possible conflict of interest; and (b) whether declaration of interests by members of the Executive Council should be made public after a certain period of time.	Response awaited. - Ditto -