

Panel on Security**List of follow-up actions**
(position as at 28 April 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 November 2004 to 31 March 2005 was circulated vide LC Paper No. CB(2)1361/04-05 on 25 April 2005.
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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6. Measures to combat illegal employment	7 December 2004	<p>The Administration was requested –</p> <ul style="list-style-type: none"><li data-bbox="1099 360 1639 596">(a) to provide information on the number of cases where employers were sentenced to less than 15 months' imprisonment for employing illegal immigrants; and<li data-bbox="1099 644 1639 804">(b) to consider providing, on a confidential basis, information on the provinces and cities where illegal workers came from.	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>
7. 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	<p>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.</p>	<p>Response awaited.</p>

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8. Declaration of interests by members of the Executive Council and principal officials	19 January 2005	<p>The Independent Commission Against Corruption was requested to provide its views on –</p> <p>(a) whether blind trusts for principal officials were preferred to family trusts as a measure for preventing any possible conflict of interest; and</p> <p>(b) whether declaration of interests by members of the Executive Council should be made public after a certain period of time.</p>	<p>Response awaited.</p> <p>- Ditto -</p>
9. Immigration policy and procedures in respect of applications for visit visas/entry permits	1 February 2005	<p>(a) The Administration was requested to consider providing the procedures manual of the Immigration Department relating to the vetting of visit visas/entry permit applications from Taiwan residents; and</p> <p>(b) The Administration was requested to provide statistics relating to visits to Hong Kong by ministerial level Taiwan officials after reunification.</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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<p>10. Issues relating to allegation of Mainland public security officials taking enforcement actions in Hong Kong</p>	<p>1 March 2005</p>	<p>The Administration was requested to provide –</p> <p>(a) copies of its letters to Guangdong Provincial Public Security Department in a case where Mainland public security officials were alleged to have taken enforcement actions in Hong Kong on 16 June 2004; and</p> <p>(b) a written response regarding why the coverage of the agreed mechanism on police co-operation would not be extended to include state security officials.</p>	<p>Response awaited.</p> <p>- Ditto –</p>
<p>11. Appointment of civil celebrants of marriage : Proposal to amend the Marriage Ordinance (Cap. 181)</p>	<p>15 April 1005</p>	<p>The Administration was requested to provide –</p> <p>(a) information on jurisdictions where lawyers were allowed to serve as civil celebrants, quoting the relevant legislation and explaining whether there were any restrictions on the place of celebration and other matters; and</p>	<p>Response awaited.</p>

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		(b) information on the eligibility criteria for civil celebrants and the restrictions, if any, on the celebration of marriages by civil celebrants for their own relatives.	Response awaited
12. Computer Assisted Palmprint and Fingerprint Identification System (CAPFIS)	15 April 1005	<p>The Administration was requested to provide –</p> <p>(a) a written response on how records in the Computer Assisted Fingerprint Identification System (CAFIS) would be removed before the system was disposed of and the views of the office of the Government Chief Information Officer on the replacement of CAFIS by CAPFIS;</p> <p>(b) a paper explaining the storage and destruction of records in CAPFIS for arrested persons, sentenced persons and young people cautioned under the Police Superintendent's Discretion Scheme;</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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		<p>(c) the legal basis on which the Police exchanged fingerprint and palmprint information with its counterparts in other jurisdictions in the investigation of crime;</p> <p>(d) the Administration's internal guidelines, if any, on such exchange of information; and</p> <p>(e) the views of the Privacy Commissioner for Personal Data, if any, on the consistency between such exchange of information and the Personal Data (Privacy) Ordinance (Cap. 486).</p>	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>
<p>13. Versatile Maritime Policing Response Strategy (VMPR)</p>	<p>15 April 1005</p>	<p>The Administration was requested to provide –</p> <p>(a) information on the patrol coverage of the proposed fleet, the number of shifts and the manpower required under VMPR;</p>	<p>Response awaited.</p>

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		<p>(b) a comparison of the manpower and fleet requirements under VMPR with those deployed in neighbouring places;</p> <p>(c) a breakdown in terms of the grades of the 200 posts to be saved; and</p> <p>(d) the reports of all the reviews referred to in paragraph 5 of the Administration's paper entitled "Versatile Maritime Policing Response Strategy".</p>	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>
<p>14. Amendment to subsidiary legislation under the Dangerous Goods Ordinance (Cap. 295)</p>	<p>15 April 1005</p>	<p>The Administration was requested to provide the views received on the proposed regulations and the Administration's response.</p>	<p>Response awaited.</p>