

## Panel on Security

**List of follow-up actions**  
(position as at 10 October 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.

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
	10 June 2004	<p>(b) provide a paper on -</p> <ul style="list-style-type: none"><li>(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</li><li>(ii) the criteria for determining whether and when IOCO should come into operation.</li></ul> <p>The Administration was requested -</p> <ul style="list-style-type: none"><li>(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</li><li>(b) to confirm whether internal guidelines had been issued to the law enforcement agencies on the requirement referred to in paragraph (a) above.</li></ul>	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
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 360 1637 596">(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><li data-bbox="1099 644 1637 919">(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><li data-bbox="1099 967 1637 1286">(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;</li></ul>	<p>Response circulated vide LC Paper No. CB(2)2395/04-05 on 28 July 2005.</p> <p>- Ditto -</p> <p>- Ditto -</p>

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
		<p>(d) provide a paper explaining -</p> <ul style="list-style-type: none"><li>(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;</li><li>(ii) the types of integrity checks conducted at different stages, such as those conducted on appointment or promotion;</li><li>(iii) the persons responsible for conducting integrity checks and how integrity checks were conducted; and</li><li>(iv) measures to ensure that integrity checks were conducted independently.</li></ul> <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 circulated vide LC Paper No. CB(2)2395/04-05 on 28 July 2005.</p> <p>- Ditto -</p>

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Subject	Date of Meeting	Follow-up action required	Administration's response
		(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 circulated vide LC Paper No. CB(2)2395/04-05 on 28 July 2005.
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"><li>(ii) why D of J did not refer the matter to an independent committee; and</li><li>(iii) whether there was any conflict of interest with ICAC carrying out the investigation work.</li></ul> <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"><li>(i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and</li><li>(ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case.</li></ul>	Response awaited.

Subject	Date of Meeting	Follow-up action required	Administration's response
6. Measures to combat illegal employment	7 December 2004	<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>(b) to consider providing, on a confidential basis, information on the provinces and cities where illegal workers came from.</p>	<p>Response circulated vide LC Paper No. CB(2)2335/04-05 on 20 July 2005.</p> <p style="text-align: center;">- Ditto -</p>
7. 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 circulated vide LC Paper No. CB(2)2384/04-05 on 26 July 2005.</p> <p style="text-align: center;">- Ditto -</p>



<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
8. Immigration policy and procedures in respect of applications for visit visas/entry permits	1 February 2005	(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  (b) The Administration was requested to provide statistics relating to visits to Hong Kong by ministerial level Taiwan officials after reunification.	Response circulated vide LC Paper No. CB(2)2447/04-05 on 16 August 2005.  - Ditto -
9. Issues relating to allegation of Mainland public security officials taking enforcement actions in Hong Kong	1 March 2005	The Administration was requested to write to the Mainland authorities conveying Members' concerns and seeking a reply on the punishment, if any, imposed on the public security official who brought a pair of handcuffs to Hong Kong.	Response given at the meeting of the Panel on Security on 5 July 2005.

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10. Appointment of civil celebrants of marriage : Proposal to amend the Marriage Ordinance (Cap. 181)	15 April 2005	<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>(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.</p>	<p>Response circulated vide LC Paper No. CB(2)2170/04-05 on 4 July 2005.</p> <p style="text-align: center;">- Ditto -</p>
11. Amendment to subsidiary legislation under the Dangerous Goods Ordinance (Cap. 295)	15 April 2005	<p>The Administration was requested to provide the views received on the proposed regulations and the Administration's response.</p>	<p>Response circulated vide LC Paper No. CB(2)2221/04-05 on 8 July 2005.</p>

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
12. Security arrangements for the Six Ministerial Conference of the World Trade Organization to be held in Hong Kong in December 2005	3 May 2005	<p>(a) The Administration was requested to –</p> <ul style="list-style-type: none"><li data-bbox="1167 395 1626 799">(i) provide the reports of its internal review on the security arrangements for the Hanover Ceremony in 1997, the Annual Meeting of the World Bank Group and the International Monetary Fund in 1997 and the FORTUNE Global Forum in 2001;</li><li data-bbox="1167 842 1626 1161">(ii) provide members with a copy of its paper on the Sixth Ministerial Conference of the World Trade Organization (MC6) for the meeting with the Wan Chai District Council in May 2005;</li></ul>	<p>Response circulated vide LC Paper No. CB(2)2326/04-05 on 19 July 2005.</p> <p>- Ditto -</p>

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
		<p>(iii) provide information on the mechanism for seeking the assistance of the People's Liberation Army Military Force in the Hong Kong Special Administrative Region (PLA) to deal with unauthorised flights in the air curfew zone;</p> <p>(iv) advise whether arrangements had been made for PLA to assist in maintaining peace and order in Hong Kong, if necessary, during the period when MC6 was held in Hong Kong; and</p> <p>(b) The Police was requested to provide information on its preparations against terrorists attacks when MC6 was held in Hong Kong.</p>	<p>Response circulated vide LC Paper No. CB(2)2326/04-05 on 19 July 2005.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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13. Employment service support for rehabilitated offenders	3 May 2005	<p>The Administration was requested to provide –</p> <p>(a) information on the computer facilities in penal institutions, the computer courses provided to inmates and the number of such courses;</p> <p>(b) a response to the suggestion that employers should, for the purpose of privacy, not require a job applicant to indicate whether he had any criminal convictions;</p> <p>(c) information on the number of rehabilitated offenders employed in government departments; and</p> <p>(d) a response to the suggestion that integrity checking should not be required for some posts in government departments.</p>	<p>Response circulated vide LC Paper No. CB(2)2449/04-05 on 17 August 2005.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p>

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<p>14. Notification mechanism between the Mainland authorities and the Hong Kong Special Administrative Region Government and related issues</p>	<p>7 June 2005</p>	<p>The Administration was requested to –</p> <ul style="list-style-type: none"> <li>(a) provide information on the actions it had taken in the case of CHING cheong; and</li> <li>(b) advise its views regarding the suggestion of providing legal aid to Hong Kong residents detained outside Hong Kong.</li> </ul>	<p>Response circulated vide LC Paper No. CB(2)2430/04-05 on 11 August 2005.</p> <p style="text-align: center;">- Ditto -</p>
<p>15. Provision of emergency ambulance service</p>	<p>7 June 2005</p>	<p>The Administration was requested to provide –</p> <ul style="list-style-type: none"> <li>(a) its quantitative analyses of the additional demand for emergency ambulance service arising from the opening of Disneyland and development of Lantau Island, the increased number of visitors associated with the Individual Visit Scheme and the international conferences to be held in Hong Kong, the opening of new ambulance depots, and advise whether the net increase in manpower proposed could meet with such increased demand;</li> </ul>	<p>Response awaited.</p>

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		<p>(b) statistics on the response time performance in the New Territories before and after the Third Generation Mobilising System came into operation; and</p> <p>(c) information on the implementation of a priority despatch system in overseas countries.</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>
<p>16. Notification mechanism between the Mainland authorities and the Hong Kong Special Administrative Region Government and assistance to Hong Kong residents detained in the Mainland</p>	<p>5 July 2005</p>	<p>The Administration was requested to –</p> <p>(a) provide information on the criteria adopted by the Mainland authorities in determining whether visits by family members to detainees were allowed;</p> <p>(b) follow up with the Mainland authorities the suggestions of allowing family members and officials of the Hong Kong Special Administrative Region Government to visit Hong Kong residents detained in the Mainland and provide a response; and</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>

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		(c) provide a copy of the booklet entitled “內地刑事訴訟簡介”.	Booklet issued vide LC Paper No. CB(2)2525/04-05 on 5 September 2005.
17. Policy governing the employment of foreign domestic helpers (FDHs)	5 July 2005	<p>The Administration was requested to –</p> <p>(a) provide information on the number of FDHs allowed to perform driving duties incidental to and arising from domestic duties, the number of FDHs arrested for undertaking illegal employment, the number of employers convicted for aiding and abetting such FDHs and the sentences imposed;</p> <p>(b) provide a written response on the criteria adopted in determining whether to allow an FDH to perform driving duties incidental to and arising from domestic duties;</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>



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		(c) provide information on the number of joint operations launched to combat illegal employment, the number of personnel deployed in such operations and the number of complaints against FDHs performing domestic duties for other employers.	Response awaited.
18. The Law Enforcement (Covert Surveillance Procedures) Order (the Order)	15 August 2005	<p>The Administration was requested to provide –</p> <p>(a) the internal guidelines of relevant law enforcement agencies on the Order;</p> <p>(b) information on the distribution of the existing authorising officers for covert surveillance;</p> <p>(c) statistics on covert surveillance currently undertaken by law enforcement officers; and</p>	<p>Response circulated vide LC Paper No. CB(2)2639/04-05 on 28 September 2005.</p> <p>Response circulated vide LC Paper No. CB(2)2632/04-05 on 28 September 2005.</p> <p>- Ditto -</p>

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
		(d) a written response on whether the Order provided for the covert surveillance of offences under BL23 where legislation had not been enacted.	Response circulated vide LC Paper No. CB(2)2632/04-05 on 28 September 2005.
19. Transfer of sentenced persons between the Hong Kong Special Administrative Region (HKSAR) Government and the Macau Special Administrative Region (SAR) Government	31 May 2005 (meeting of the Bills Committee on Transfer of Sentenced Persons (Amendment) (Macau) Bill)	The Administration undertook to inform the Panel of the progress of implementation of the Arrangement on Transfer of Sentenced Persons between the HKSAR Government and Macau SAR Government one year after the Arrangement came into operation.	Response awaited.