

**Panel on Security****List of follow-up actions**

(position as at 30 November 2005)

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
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"><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>

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3. 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.
4. 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;  (ii) why D of J did not refer the matter to an independent committee; and	Response awaited.

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		<p>(iii) whether there was any conflict of interest with ICAC carrying out the investigation work.</p> <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> <p>(i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and</p> <p>(ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case.</p>	<p>Response awaited.</p>

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<p>5. Provision of emergency ambulance service</p>	<p>7 June 2005</p>	<p>The Administration was requested to provide –</p> <p>(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;</p> <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>- Ditto -</p> <p>- Ditto -</p>

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<p>6. 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; and</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.</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>
<p>7. Policy governing the employment of foreign domestic helpers (FDHs)</p>	<p>5 July 2005</p>	<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>Response circulated vide LC Paper No. CB(2)236/05-06 on 31 October 2005.</p>

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<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
		<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>(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.</p>	<p>Response circulated vide LC Paper No. CB(2)236/05-06 on 31 October 2005.</p> <p>- Ditto -</p>



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<p>8. The Law Enforcement (Covert Surveillance Procedures) Order (the Order)</p>	<p>15 August 2005</p>	<p>The Administration was requested to provide –</p> <p>(a) a paper on existing legislation which provided that the commissioner or director concerned could direct and control the respective disciplined services, subject to the orders and control of CE, and the relationship of such legislation with Article 30 of the Basic Law; and</p> <p>(b) a copy of the Independent Commission Against Corruption’s application for judicial review in Criminal Case No. DCCC687 of 2004.</p>	<p>Response awaited.</p> <p>Response circulated vide LC Paper No. CB(2)277/05-06 on 3 November 2005.</p>
<p>9. Transfer of sentenced persons between the Hong Kong Special Administrative Region (HKSAR) Government and the Macau Special Administrative Region (SAR) Government</p>	<p>Meeting of the Bills Committee on Transfer of Sentenced Persons (Amendment) (Macau) Bill</p>	<p>The Administration undertook –</p> <p>(a) to draw up internal guidelines for determining “close ties” with a place when more such cases have been established, and provide a copy of the guidelines to the Panel; and</p>	<p>Response awaited.</p>

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		(b) to inform the Panel of the progress of implementation of the Arrangement on Transfer of Sentenced Persons between the HKSAR Government and the MSAR Government one year after the Arrangement came into operation.	Response awaited.
10. Measures to combat illegal employment	19 October 2005	The Administration was requested to provide statistics on the number of illegal workers whose subsequent applications for visiting Hong Kong were rejected by Mainland authorities for a period of two to five years.	Response circulated vide LC Paper No. CB(2)483/05-06 on 24 November 2005.
11. Corruption prevention work of the Independent Commission Against Corruption	19 October 2005	The Independent Commission Against Corruption was requested to provide further information on its provision of assistance to government bureaux and departments involved in Public Private Partnership Projects.	Response awaited.

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12. Long-term Prison Development	1 November 2005	<p>The Administration was requested to provide the following when seeking funding for the Lo Wu Correctional Institution redevelopment project –</p> <p>(a) information on the progress of the establishment of transfer of sentenced persons arrangements with the Mainland; and</p> <p>(b) a comparison between the redevelopment of the Lo Wu Correctional Institution and the Chi Ma Wan Correctional Institution, and advise whether the redeveloped institutions at Lo Wu would be further developed to provide more than 1 400 places.</p>	<p>Response awaited.</p> <p>- Ditto -</p>

