

**Legislative Council Panel on Security  
Legislative Council Panel on Planning, Lands and Works  
Legislative Council Panel on Environmental Affairs**

**Review of the Frontier Closed Area**

**PURPOSE**

This paper sets out the recommendations arising from the review of the coverage of the Frontier Closed Area (FCA) and the plans to implement those recommendations.

**BACKGROUND**

2. The FCA was first established in 1951, with its present boundary specified since 1962. The area covers about 2 800 hectares of land south of the boundary between Hong Kong and Shenzhen, as shown on the map at **Annex A**.

3. The FCA is an integral part of the package of measures for maintaining the integrity of our boundary with the Mainland and for combating illegal immigration and other cross-boundary criminal activities. Access to the FCA is controlled by the Police through the issuance of FCA permits based on actual needs to enter the FCA. Apart from this restriction on access to the FCA, other measures include a boundary fence in the vicinity of the boundary as well as frequent security patrols in the FCA.

**THE REVIEW**

4. The problem of illegal immigration on land has been under control in recent years. The number of illegal immigrants arrested in the past nine years with breakdown by locations of entry is at **Annex B**. In addition, in April 2002 the Police upgraded the boundary fence system to incorporate advanced electronic detection equipment. The upgraded fence has enhanced our capability in detecting and intercepting illegal immigrants. The interception rate of illegal

immigrants along the land boundary has increased from around 40% to over 50%.

5. Our review has concluded that with the installation of a new secondary boundary fence, the objective of maintaining the integrity of the boundary may still be achieved with the coverage of the FCA substantially reduced.

### **Proposed Secondary Boundary Fence**

6. At present, most sections of the boundary fence are on the northern edge of the boundary patrol road. We propose to construct a secondary boundary fence on the other edge of the road, thereby enclosing the road and ensuring that it and the boundary fence are free from deliberate or inadvertent interference. Having secured the boundary patrol road, for most parts of the FCA we will be able to reduce the FCA coverage to the narrow strip of the boundary patrol road, plus the areas with points of crossing the boundary (the Boundary Control Points and Sha Tau Kok town), as shown at **Annex A**. This means a reduction of the FCA from about 2 800 to about 800 hectares.

### **Areas with Points of Crossing**

7. At present people and goods may enter and exit Hong Kong across the boundary at the following points –

- (a) the Boundary Control Points; and
- (b) Sha Tau Kok (STK).

They call for control through the FCA.

8. The situation at Chung Ying Street in STK is unique. Given its historical background, it is the only point where people and goods cross the Hong Kong/Mainland boundary, without all the necessary boundary control measures and facilities. Among other things there is no physical barrier. This situation presents inherent security risks, but we have been able to preserve the integrity of the boundary mainly by including STK in the FCA. Even with the FCA, smuggling activities have been of concern in STK and illegal immigration persists. Although we cannot completely remove the FCA around STK, we still propose

reducing the FCA northwards up to “Gate One” (the entrance to the STK town). The current Police and Customs check posts at Shek Chung Au will be relocated to “Gate One”. **Annex C** shows the recommended boundary of the revised FCA for the STK area.

9. In addition, a number of studies have suggested that the STK public pier could be used for access to the outer islands and the east coasts of the Northern New Territories to facilitate development of eco-tourism in the area. Balancing these suggestions and security concerns, we are prepared to allow organized tour groups to use the STK public pier for access to the outer islands and the east coasts of northern New Territories during weekends and public holidays. Since August 2003 we have been discussing options for implementing such a scheme with the local community. We have yet to conclude an arrangement that is unanimously accepted by the local community but will seek to continue the discussion with a view to working out a suitable arrangement.

## **IMPLEMENTATION**

10. As explained above, to reduce the FCA to the extent proposed we need to build a new secondary boundary fence. This is because after the reduction of the FCA, members of the public would be able to go as far as the boundary patrol road. They might deliberately or inadvertently trigger or interfere with the existing boundary fence and equipment. The frequent deployment of officers to respond to these false alarms would affect police response to genuine attempts by illegal immigrants or other criminals to cross the fence. We therefore propose that a secondary fence be built to provide a secured zone minimizing deliberate or inadvertent interference.

11. We are making preparations for the secondary boundary fence, and will seek approval of funding from the Finance Committee of the Legislative Council after the necessary steps such as Environmental Impact Assessment. We estimate that construction will take about one and a half years.

12. We also need to make legislative amendments to implement the reduction of the FCA coverage. The FCA coverage is currently specified in the Schedule to the Frontier Closed Area Order, which is subsidiary legislation made under section

36 of the Public Order Ordinance (Cap. 245). We plan to amend the Schedule to the Frontier Closed Area Order as soon as the secondary boundary fence is ready, estimated to be around 2010.

## **PLANNING STUDY**

13. In parallel with the preparation for the secondary boundary fence, the Planning Department will also embark on a planning study (the Study) for the land to be excluded from the FCA (the Study Area). The Study would examine the development potential and constraints of the Study Area and identify suitable future uses thereat, with a view to formulating a planning framework to guide the conservation and development of the Study Area under the overarching principle of sustainable development.

14. The Study will be divided into two stages:

Stage 1 - focuses on the formulation of the Concept Plan, which will be broad-brush and conceptual in nature, to form the basis for the preparation of Development Permission Area (DPA) Plans; and

Stage 2 - focuses on the formulation of the Development Plan, which will be more detailed in nature, to form the basis for the preparation of Outline Zoning Plans, which will replace the DPA Plans thereafter.

The Study will also include a Strategic Environmental Assessment, the findings and recommendations of which will provide inputs to various stages of the Study. **Annex D** outlines the major environmental concerns of the Study Area.

15. A dedicated web-page will also be set up to serve as a platform to receive public views and to provide information for public discussion. Stage 1 of the Study will take about 12 months to complete, during which the public will be consulted on the formulation of the draft concepts for the future development of the Study Area. Stage 2 of the Study will commence after completion of Stage 1 of the Study and will take about 18 months to complete.

**CONSULTATION**

16. We will consult the relevant parties, including the relevant Panels of the Legislative Council, Heung Yee Kuk, the District Councils concerned and the local representatives on the results of the FCA review and seek their preliminary views on the future development of the area in the next few months.

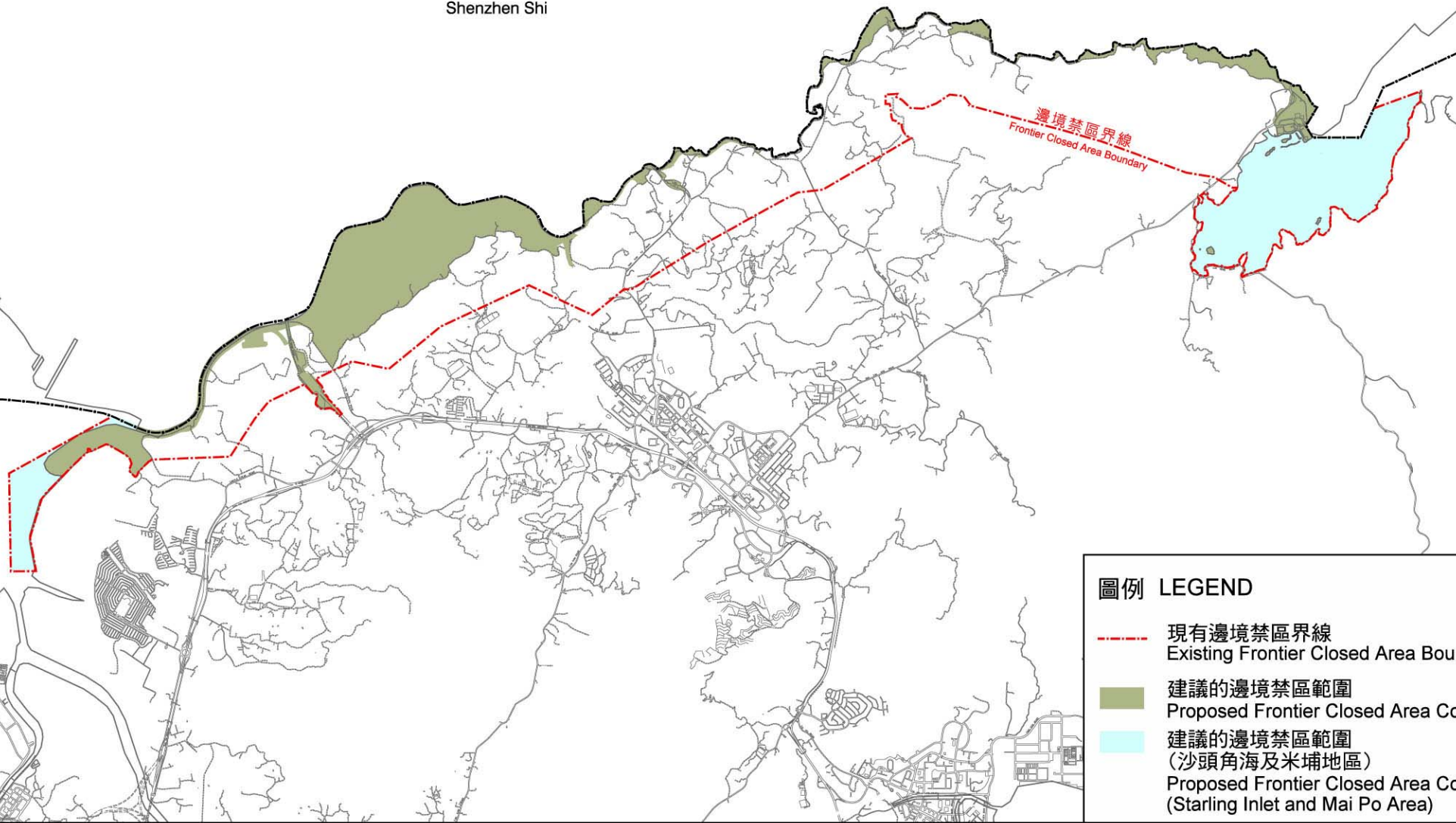
**Security Bureau**

**Housing, Planning and Lands Bureau**

**September 2006**



深圳市  
Shenzhen Shi



邊境禁區界線  
Frontier Closed Area Boundary

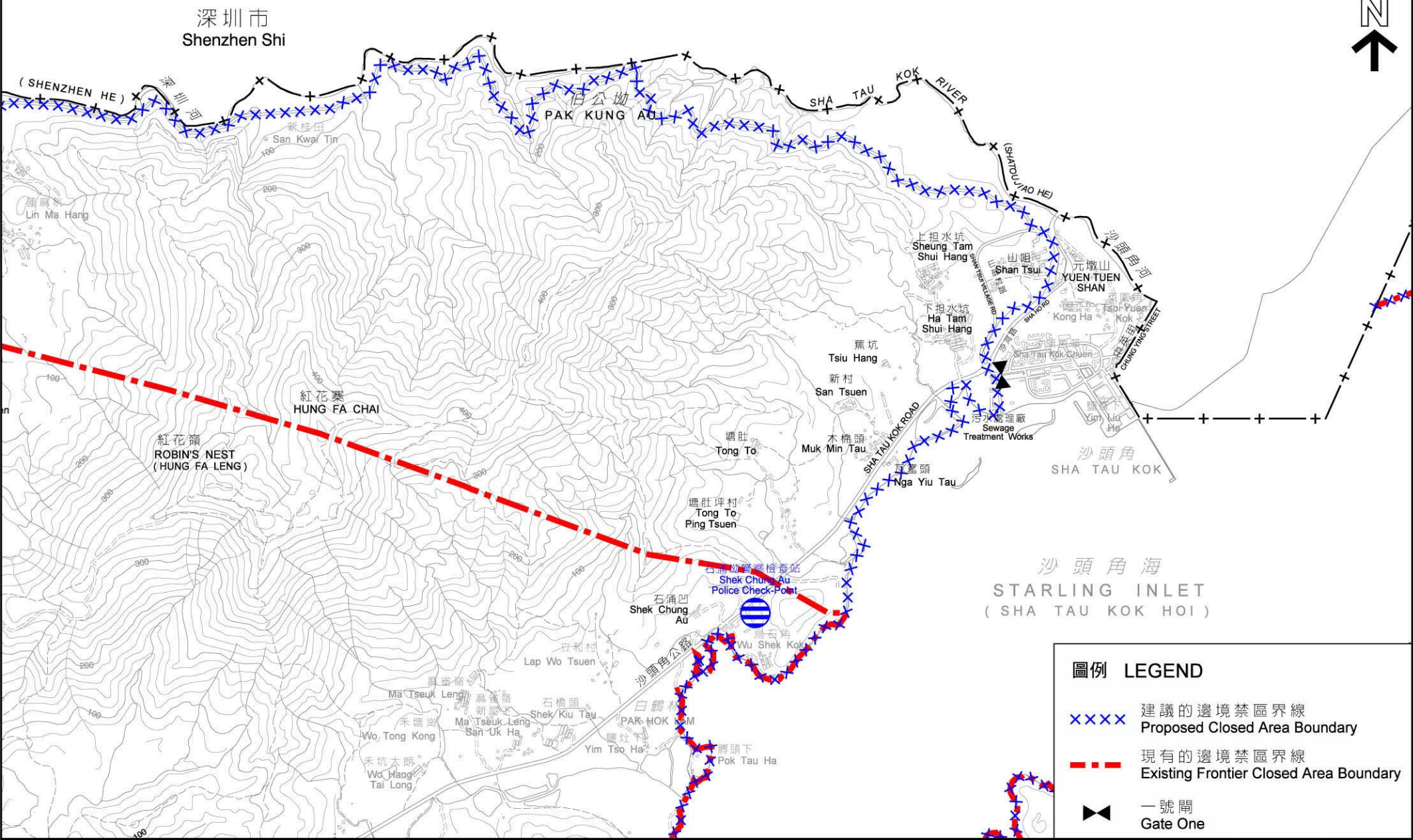
圖例 LEGEND

- 現有邊境禁區界線  
Existing Frontier Closed Area Boundary
- 建議的邊境禁區範圍  
Proposed Frontier Closed Area Coverage
- 建議的邊境禁區範圍  
(沙頭角海及米埔地區)  
Proposed Frontier Closed Area Coverage  
(Starling Inlet and Mai Po Area)

現有的邊境禁區界線及建議的邊境禁區範圍  
Existing Frontier Closed Area Boundary and Proposed Frontier Closed Area Coverage

**Number of Illegal Immigrants Arrested  
(Breakdown by Locations of Entry)  
(1997 to 2005)**

<b>Year</b>	<b>Frontier Closed Area</b>	<b>Other Land Locations</b>	<b>Hong Kong Waters</b>	<b>Total</b>
1997	2 404	4 589	10 826	17 819
1998	2 264	5 815	6 534	14 613
1999	2 233	4 367	5 570	12 170
2000	1 952	2 606	3 918	8 476
2001	1 530	2 000	4 792	8 322
2002	1 099	1 521	2 742	5 362
2003	1 257	1 254	1 298	3 809
2004	994	587	1 318	2 899
2005	564	505	1 122	2 191



建議沙頭角的邊境禁區修訂界線  
Recommended Boundary of the Revised FCA for Sha Tau Kok



## **Environmental Considerations**

There are major environmental concerns on the possible impact arising from the reduction of the FCA coverage on the nearby ecological sensitive sites, sewerage and in turn the water quality of Deep Bay, the large amount of soft sediment (some of which is contaminated) previously dumped at the Lok Ma Chau Loop, and the noise and air quality of the area. Detailed planning study and strategic environmental assessment are therefore required before any decision is made on the future developments in the area. The reduction may also increase development pressure and lead to an upsurge in human activities in the area with adverse environmental impacts. Effective development control is needed to prevent environmental degradation. Adequate environmental facilities and suitable environmental measures have to be in place before major developments take place. For any designated projects relating to developments in the area, the statutory Environmental Impact Assessment process would need to be followed.