

## **LEGISLATIVE COUNCIL BRIEF**

Immigration Ordinance  
(Chapter 115)  
Immigration Service Ordinance  
(Chapter 331)

### **IMMIGRATION (PLACES OF DETENTION) (AMENDMENT : LOK MA CHAU SPUR LINE CONTROL POINT) ORDER 2007**

### **IMMIGRATION SERVICE (DESIGNATED PLACES) (AMENDMENT : LOK MA CHAU SPUR LINE CONTROL POINT) ORDER 2007**

## **INTRODUCTION**

The Secretary for Security has made the Immigration(Places of Detention)(Amendment: Lok Ma Chau Spur Line Control Point) Order 2007 (at **Annex A**) and the Immigration Service (Designated Places)(Amendment: Lok Ma Chau Spur Line Control Point) Order 2007 (at **Annex B**) (the "Amendment Orders") to designate detention quarters for use by the Immigration Department within the new Lok Ma Chau Spur Line Control Point (SLCP).

## **BACKGROUND**

2. The SLCP will be a new boundary control point at Lok Ma Chau for both rail and road passengers. Connected to the East Rail Sheung Shui Station of the Kowloon-Canton Railway Corporation (KCRC) through the Sheung Shui to Lok Ma Chau Spur Line, the SLCP aims to relieve the increasing congestion at Lo Wu and to cope with the growth in cross-boundary passenger traffic. It will be linked to the Huanggang Station of Shenzhen via a footbridge.

3. The detention quarters within the SLCP will be used by the Immigration Department for detention of persons under the Immigration Ordinance (Cap 115) or the Immigration Service Ordinance (Cap 331).

## **THE NEW ORDERS**

4. **Section 1** of the Amendment Orders provides for the commencement date. **Section 2** of the Immigration(Places of Detention)(Amendment: Lok Ma Chau Spur Line Control Point) Order 2007 amends Schedule 3 to the Immigration (Places of Detention) Order (Cap 115B) by adding the new detention quarters within the SLCP. Likewise Section 2 of the Immigration Service (Designated Places)(Amendment: Lok Ma Chau Spur Line Control Point) Order 2007 so amends the Schedule to the Immigration Service (Designated Places) Order (Cap 331B).

## **LEGISLATIVE TIMETABLE**

5. The legislative timetable is as follows-

|                        |            |
|------------------------|------------|
| Publication in Gazette | 4 May 2007 |
|------------------------|------------|

|                                    |            |
|------------------------------------|------------|
| Tabling in the Legislative Council | 9 May 2007 |
|------------------------------------|------------|

The Amendment Orders will come into effect on a day to be appointed by the Secretary for Security by notice published in the Gazette.

## **PUBLIC CONSULTATION**

6. As the amendments are technical and will not affect the general public, public consultation has not been arranged.

## **IMPLICATIONS OF THE PROPOSAL**

7. The Amendment Orders are in conformity with the Basic Law including the provisions concerning human rights. They will not affect the current binding effect of the Immigration Ordinance and Immigration Service Ordinance.

## **PUBLICITY**

8. A spokesman of the Immigration Department will be available to answer media and public enquiries.

## **ENQUIRIES**

9. Please direct enquiries to Mr Alan Lo, Principal Assistant Secretary for Security at 2810 2330.

**Security Bureau**  
**May 2007**

**IMMIGRATION (PLACES OF DETENTION)  
(AMENDMENT : LOK MA CHAU SPUR LINE CONTROL  
POINT) ORDER 2007**

(Made by the Secretary for Security under section 35(1) of the Immigration Ordinance (Cap. 115))

**1. Commencement**

This Order shall come into operation on a day to be appointed by the Secretary for Security by notice published in the Gazette.

**2. Schedule 3 amended**

Schedule 3 to the Immigration (Places of Detention) Order (Cap. 115 sub. leg. B) is amended by adding –

- “26. The area within the Lok Ma Chau Spur Line Control Point that is set aside as detention quarters for use by the Immigration Department.”.

Secretary for Security

2007

## **Explanatory Note**

An area within the Lok Ma Chau Spur Line Control Point is to be set aside as detention quarters for use by the Immigration Department. This Order amends the Immigration (Places of Detention) Order (Cap. 115 sub. leg. B) so that the area can be used as a place of detention under the Immigration Ordinance (Cap. 115).

**IMMIGRATION SERVICE (DESIGNATED PLACES)  
(AMENDMENT : LOK MA CHAU SPUR LINE CONTROL  
POINT) ORDER 2007**

(Made by the Secretary for Security under section 13A(9) of the Immigration  
Service Ordinance (Cap. 331))

**1. Commencement**

This Order shall come into operation on a day to be appointed by the Secretary for Security by notice published in the Gazette.

**2. Schedule amended**

The Schedule to the Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) is amended by adding –

- “13. The area within the Lok Ma Chau Spur Line Control Point that is set aside as detention quarters for use by the Immigration Department.”.

Secretary for Security

2007

**Explanatory Note**

An area within the Lok Ma Chau Spur Line Control Point is to be set aside as detention quarters for use by the Immigration Department. This Order amends the Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) so that the area becomes a designated place within the meaning of section 2(1) of the Immigration Service Ordinance (Cap. 331).