

LEGISLATIVE COUNCIL BRIEF

Frontier Closed Area Order (Chapter 245A)
Frontier Closed Area (Permission to Enter) Notice (Chapter 245H)

Frontier Closed Area (Amendment) Order 2013 Frontier Closed Area (Permission to Enter) (Amendment) Notice 2013

INTRODUCTION

A At the meeting of the Executive Council on 26 March 2013, the Council **ADVISED** and the Chief Executive **ORDERED** that the Frontier Closed Area (Amendment) Order 2013 (“the Amendment Order”) at **Annex A** should be made under section 36 of the Public Order Ordinance (Cap. 245) (“the Ordinance”). The Amendment Order specifies the boundary of the Frontier Closed Area (FCA) following the second stage of the FCA reduction.

2. As the Frontier Closed Area (Permission to Enter) Notice (Cap. 245H) draws reference to certain coordinates of the FCA boundary, the Frontier Closed Area (Permission to Enter) (Amendment) Notice 2013 (“the Amendment B Notice”), at **Annex B**, should also be made by the Commissioner of Police under section 38A(1) of the Ordinance to make consequential amendments.

JUSTIFICATIONS

3. The current coverage of the FCA is specified in the Frontier Closed Area Order pursuant to section 36 of the Ordinance.

4. Following a wide consultation exercise, the Government announced in January 2008 the plan to substantially reduce the coverage of the FCA from about 2,800 hectares to about 400 hectares. The reduced FCA would cover only the boundary patrol road (BPR) and the land to its north, the boundary-crossing facilities, Sha Tau Kok town, the Starling Inlet, and parts of Mai Po. The exercise seeks to reduce the FCA to the minimum necessary for the protection of public order, obviating the need for local residents and visitors alike to obtain Closed Area Permits (CAP) to access the area.

5. In order to implement the FCA reduction while maintaining the integrity of the boundary, we need to construct a secondary boundary fence (SBF) along the BPR. The FCA reduction is implemented in three phases in accordance with the progress of different parts of the SBF construction works. The first stage of the FCA reduction, covering the sections between Mai Po and the Lok Ma Chau Boundary Control Point (the westernmost section of the FCA), and between Lin Ma Hang and Sha Tau Kok (the easternmost section of the FCA), was implemented on 15 February 2012.

6. The second stage of the FCA reduction covers the section between Lok Ma Chau Boundary Control Point and River Indus (Ng Tung River). The construction works for this section have been substantially completed. We propose to give legal effect to the reduced FCA by enacting the Amendment Order at Annex A, which will take effect on 10 June 2013. This will excise more than 710 hectares of land from the FCA. Together with the more than 740 hectares of land already excised in the first stage of the FCA reduction, more than 1450 hectares, or over 50% of the original FCA will have been excised upon the implementation of the second stage. Six villages will benefit from this stage of implementation. The third stage, covering the rest of the boundary from River Indus to Lin Ma Hang, is scheduled for implementation in 2015. A map showing the original FCA boundary and the areas to be excised in different stages is at

C **Annex C.**

7. The Frontier Closed Area (Permission to Enter) Notice (Cap.245H) deals with the classes of persons permitted to enter the FCA without CAP (e.g. cross-boundary vehicle drivers and passengers). It makes reference to certain coordinates of the FCA boundary to specify the exact routes which vehicles carrying cross-boundary people should take in order for the drivers and passengers to qualify for the exemption. As we change the FCA boundary, consequential amendments to the corresponding references in the Frontier Closed Area (Permission to Enter) Notice should be made.

8. To tie in with the second-stage reduction of the FCA, the Transport Department will arrange for a gazette notice to be published under the Road Traffic (Traffic Control) Regulations (Cap 374G) to lift the closed road restriction within the area to be excised from the FCA.

THE AMENDMENT ORDER

9. The Amendment Order seeks to specify the boundary of the reduced FCA by revising the relevant coordinates and plans in the Schedule to the Frontier Closed Area Order.

- D 10. The existing provisions being amended are at **Annex D**.

THE AMENDMENT NOTICE

11. The Amendment Notice revises the description of the routes that vehicles carrying cross-boundary people should take in the Frontier Closed Area (Permission to Enter) Notice. It also includes some technical improvements, e.g. using the Hong Kong 1980 Grid System to replace the Universal Transverse Mercator Grid System to refer to specific points on the map, to tally with the geographical references under the Frontier Closed Area Order and to improve accuracy.

- E 12. The existing provisions being amended are at **Annex E**.

LEGISLATIVE TIMETABLE

13. The legislative timetable is as follows –

Publication in the Gazette	5 April 2013
Tabling at the Legislative Council	17 April 2013
Commencement	10 June 2013

IMPLICATIONS OF THE PROPOSAL

- F 14. **Annex F**. The proposal has economic and environmental implications as set out at **Annex F**. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It has no financial, productivity and civil service implications. It will not affect the binding effect of the Ordinance. While the proposal has no sustainability implications, sustainability assessment may need to be undertaken for specific development proposals in the area to be excised from FCA.

PUBLIC CONSULTATION

15. We consulted the LegCo Panel on Security (“the Panel”), Heung Yee Kuk, the Town Planning Board, the Advisory Council on the Environment, North and Yuen Long District Councils, and the relevant Rural Committees (Ta Kwu

Ling, Sha Tau Kok, Sheung Shui and San Tin) on the results of the FCA review in 2006. After taking into account the views received, the Government proposed to further expand the area to be excised from the FCA to include Lok Ma Chau Loop (“the Loop”) and the adjacent Hoo Hok Wai. The Panel, Heung Yee Kuk, and the relevant Rural Committees have been further consulted. Overall, the consulted parties were generally supportive of the FCA reduction, the timetable of implementation and the construction works.

PUBLICITY

16. A press release will be issued. We will also keep the relevant District Councils, Rural Committees and villages informed of the implementation date and details.

BACKGROUND

17. Section 36 of the Ordinance provides that the Chief Executive may, where he reasonably believes that it is necessary for the protection of national security or public safety, or the protection of public order or public health, by order declare any area or place to be a closed area. The FCA, designated under this provision, is an integral part of the security measures for maintaining the integrity of the boundary between Hong Kong and the Mainland, and for combating illegal immigration and other cross-boundary criminal activities. The Police controls access to the FCA through the issue of CAP based on the applicants’ actual needs to enter the FCA.

18. We conducted a review of the FCA coverage in 2003 and concluded that, save for specific areas such as Sha Tau Kok Town and the boundary-crossing facilities, the land south of the BPR could be excised from the FCA. In March 2003, the Executive Council endorsed the review results and agreed that Sha Tau Kok Town should remain within the FCA having considered the security risk associated with the lack of proper boundary control point facilities and a physical barrier to delineate the boundary between Hong Kong and the Mainland in Chung Ying Street, as well as the continued smuggling and illegal immigration activities in Sha Tau Kok. In December 2007, the Executive Council endorsed the final plan of the FCA reduction (with the Loop and Hoo Hok Wai included as areas to be excised), which was announced in January 2008.

ENQUIRIES

19. Enquiries on this brief should be directed to Mr Vic Yau, Principal Assistant Secretary for Security at 2810 2329.

Security Bureau
April 2013

Frontier Closed Area (Amendment) Order 2013

(Made by the Chief Executive under section 36 of the Public Order Ordinance (Cap. 245) after consultation with the Executive Council)

1. Commencement

This Order comes into operation on 10 June 2013.

2. Frontier Closed Area Order amended

The Frontier Closed Area Order (Cap. 245 sub. leg. A) is amended as set out in section 3.

3. Schedule amended

(1) The Schedule, section 1—

Repeal

“65” (wherever appearing)

Substitute

“74”.

(2) The Schedule—

Repeal everything after section 3**Substitute**

“Table

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
1	839637	821002	From there NORTHEAST following a line of bearing 61° until it stops at the centre line of the Shenzhen River, then EAST following the centre line of the Shenzhen River and the boundary of the administrative division of the Hong Kong Special Administrative Region of the People’s Republic of China to Point 2.
2	844880	842107	From there NORTHEAST following the mouth of Sha Tau Kok Hoi (Starling Inlet) to Point 3.

Section 3

3

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
3	845333	842310	From there NORTHEAST across Sha Tau Kok Hoi (Starling Inlet) to Point 4.
4	845602	843042	From there SOUTH following the coast line of Sha Tau Kok Hoi (Starling Inlet) along the high water mark to Point 5, which is the western edge of the pier.
5	844898	840799	From there NORTH following the western edge of the pier to Point 6, which is located at the junction of the pier edge and the fence.
6	844913	840799	From there EAST across a road following the fence to Point 7, which is located at the northern end of the fence.

Section 3

4

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
7	845056	840788	From there NORTHWEST across Sha Tau Kok Road — Shek Chung Au to Point 8.
8	845071	840786	From there NORTHWEST following the fence to Point 9, which is located at the junction of the fences.
9	845125	840785	From there NORTHWEST following the fence to Point 10, which is located at the junction of the fences.
10	845342	840925	From there NORTHEAST following the fence to Point 11, which is located at the junction of the fences.

Section 3

5

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
11	845626	840988	From there NORTHWEST following Shan Tsui Village Road to Point 12.
12	845637	840949	From there NORTHWEST following the fence to Point 13.
13	846082	837261	From there SOUTH following a straight line of bearing 180° to Point 14.
14	845046	837261	From there NORTHWEST to Point 15, which is located at the ridge of Wong Mau Hang Shan.
15	845380	836000	From there NORTHEAST to Point 16.
16	845390	836010	From there NORTHWEST to Point 17.
17	845510	835920	From there NORTHWEST to Point 18.

Section 3

6

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
18	845530	835870	From there NORTHWEST to Point 19.
19	845550	835690	From there SOUTHWEST to Point 20.
20	845410	835480	From there SOUTHWEST to Point 21.
21	845330	835270	From there NORTHWEST to Point 22.
22	845340	835080	From there NORTHWEST to Point 23.
23	845470	834940	From there NORTHWEST to Point 24.
24	845520	834840	From there NORTHEAST to Point 25.
25	845560	834870	From there SOUTHWEST to Point 26.
26	845550	834690	From there SOUTH to Point 27.

Section 3

7

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
27	845403	834689	From there EAST to Point 28.
28	845403	834752	From there SOUTHEAST to Point 29.
29	845350	834770	From there SOUTH to Point 30.
30	845270	834770	From there SOUTHEAST to Point 31.
31	845230	834780	From there SOUTH to Point 32.
32	845200	834780	From there SOUTHEAST to Point 33.
33	845150	834800	From there SOUTHEAST to Point 34.
34	845139	834850	From there SOUTHEAST following an anti-clockwise curve with radius = 45 m to Point 35.
35	845100	834900	From there EAST to Point 36.

Section 3

8

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
36	845100	834940	From there SOUTHEAST following an anti-clockwise curve with radius = 225 m to Point 37.
37	844870	835090	From there SOUTHWEST to Point 38.
38	844600	834629	From there SOUTHWEST to Point 39, which is located at the southern end of Tong Fong.
39	844067	833712	From there SOUTHWEST to Point 40.
40	844020	833316	From there SOUTHWEST to Point 41, which is located at the southern end of Chow Tin Tsuen.
41	843862	833016	From there SOUTHWEST to Point 42, which is located at the summit of Kong Nga Po.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
42	843260	831930	From there SOUTHWEST to Point 43, which is located at Sandy Ridge.
43	842510	830720	From there WEST to Point 44.
44	842510	830600	From there SOUTHWEST to Point 45, which is located at the Police Post on Man Kam To Road.
45	842500	830590	From there SOUTHWEST to Point 46.
46	842110	830110	From there NORTHWEST to Point 47, where the fence situates.
47	842127	830075	From there NORTHWEST following the fence to Point 48, which is located at the junction of the fence and the bridge.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
48	842867	829822	From there NORTHWEST following the edge of the bridge to Point 49, where it meets the southern edge of the pavement underneath the bridge.
49	842877	829816	From there SOUTHWEST following the southern edge of the pavement underneath the bridge to Point 50, which is located at the junction of the southern edge of the pavement and the river bank of River Indus.
50	842870	829799	From there NORTHWEST following the river bank of River Indus to Point 51, which is located at the intersection of the river bank and the northern edge of the water pipe supports.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
51	842878	829748	From there SOUTHWEST following the northern edge of the water pipe supports to Point 52, which is located at the intersection of the water pipe supports edge and the wall.
52	842845	829683	From there NORTHWEST following the wall to Point 53, where the end of the wall situates.
53	842885	829658	From there NORTHWEST following the eastern side of the road kerb to Point 54, which is located at the junction of the road kerb and the gate.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
54	842908	829643	From there NORTHWEST following the railing to Point 55, which is located at the junction of the railing and the road marker.
55	843185	829562	From there NORTHWEST following the road marker to Point 56, which is located at the junction of the road marker and the fence.
56	843191	829558	From there NORTHWEST following the fence to Point 57, which is located at the junction of the fences.
57	843197	829552	From there NORTHWEST and then SOUTHWEST following the fences to Point 58, where it meets a nullah behind the pavement.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
58	841896	825418	From there WEST along the road marker on an unnamed road to Point 59, where it meets the edge of the flyover above.
59	841893	825399	From there SOUTHEAST following the edge of the flyover above to Point 60, where it meets the fence.
60	841566	825488	From there SOUTHEAST following the fence to Point 61, which is located at the end of the fence.
61	840763	826011	From there SOUTHEAST following the wall to Point 62.
62	840564	826191	From there SOUTHWEST across San Sham Road to Point 63.

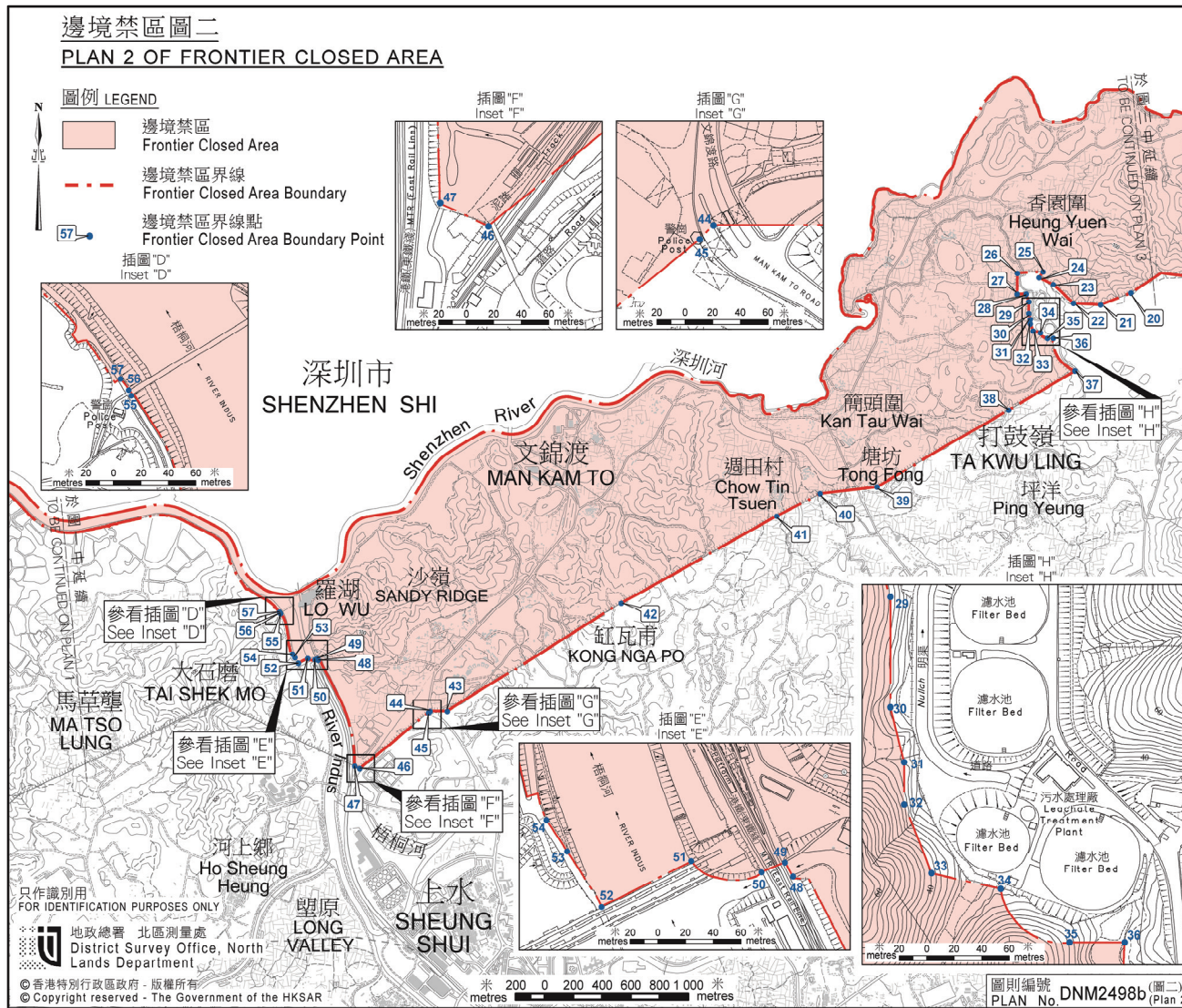
Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
63	840530	826159	From there NORTHWEST following the wall to Point 64, which is located at the start of the fence.
64	840600	826098	From there NORTHWEST following the fence to Point 65, where it meets the edge of the flyover.
65	841705	825385	From there NORTHWEST following the edge of the flyover and across the nullah to Point 66.
66	841719	825381	From there NORTHWEST following the fence to Point 67.
67	841885	825345	From there SOUTHWEST following the fence to Point 68, which is located at the junction of the fences.

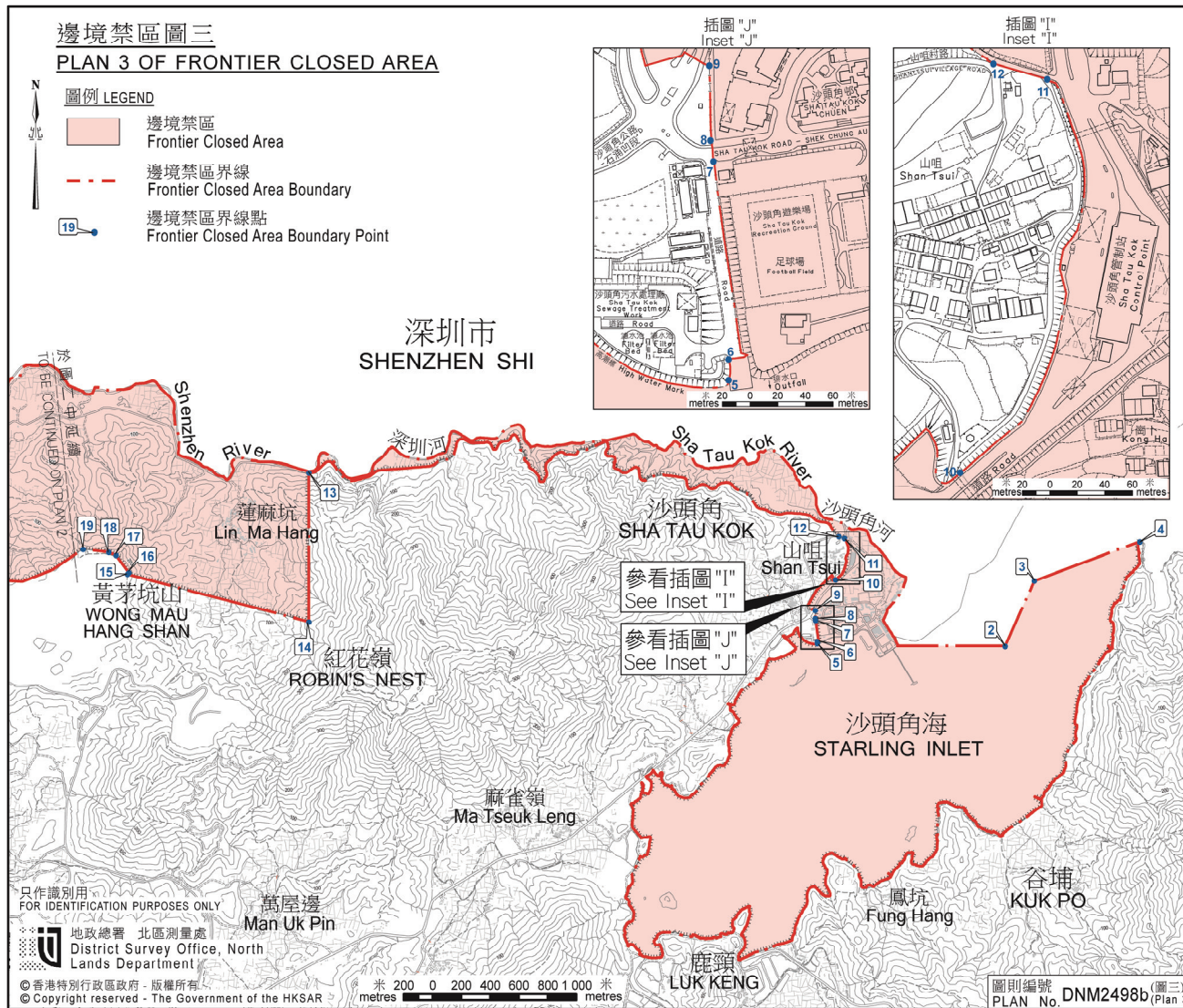
Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
68	841813	824993	From there SOUTH following the fence of the Lok Ma Chau Spur Line Control Point (columns supporting the viaduct are excluded) to Point 69, which is located at the end of the fence.
69	841619	824650	From there WEST following the building edge of the Sewage Plant to Point 70, which is located at the start of the fence.
70	841652	824632	From there EAST following the fence to Point 71, which is located at the junction of the fences.
71	841743	824681	From there SOUTHWEST following the fence to Point 72, which is located at the junction of the fences.

Column 1 Point number	Column 2 Northing (m)	Column 3 Easting (m)	Column 4 Remarks
72	839649	823018	From there SOUTHWEST following the fence to Point 73, which is located at the end of the fence.
73	838112	821425	From there WEST to Point 74.
74	838108	821030	Finally NORTH returning to Point 1.

Notes:

1. Point 1 and Points 58 to 74 are shown on the plan titled "PLAN 1 OF FRONTIER CLOSED AREA" annexed to this Schedule.
2. Points 20 to 57 are shown on the plan titled "PLAN 2 OF FRONTIER CLOSED AREA" annexed to this Schedule.
3. Points 2 to 19 are shown on the plan titled "PLAN 3 OF FRONTIER CLOSED AREA" annexed to this Schedule.
4. The plans annexed to this Schedule are provided for information only.





Chief Executive

2013

Explanatory Note

The boundary of the frontier closed area is specified in the Schedule to the Frontier Closed Area Order (Cap. 245 sub. leg. A). This Order amends the Schedule to set out the reduced frontier closed area after completion of the construction work for the Lok Ma Chau Boundary Control Point to River Indus section.

Frontier Closed Area (Permission to Enter) (Amendment) Notice 2013

(Made by the Commissioner of Police under section 38A(1) of the Public
Order Ordinance (Cap. 245))

1. **Commencement**
This Notice comes into operation on 10 June 2013.
2. **Frontier Closed Area (Permission to Enter) Notice amended**
The Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) is amended as set out in section 3.
3. **Schedule amended**
 - (1) The Schedule, Part I, before the table—
Add
“1. The Northing coordinate (N) and Easting coordinate (E) in metres (m) that are included in the fourth column of this Part are based on Hong Kong 1980 Grid System.”.
 - (2) The Schedule, Part I, item 2—
Repeal
“KK 0391 9348”
Substitute
“from 842500 m (N), 830590 m (E) to 842510 m (N), 830600 m (E) then to 842510 m (N), 830626 m (E)”.
 - (3) The Schedule, Part I, item 2A—
Repeal

“Shek Chung Au road block (KK 1324 9502) along the Sha Tau Kok Road”

Substitute

“Frontier Closed Area boundary near the southern end of Sha Ho Road (from 845125 m (N), 840785 m (E) to 845135 m (N), 840767 m (E) then to 845125 m (N), 840739 m (E))”.

- (4) The Schedule, Part I, item 2A—

Repeal

“that road block”

Substitute

“that boundary near the southern end of Sha Ho Road”.

- (5) The Schedule, Part I, item 2B—

Repeal

“the San Sham Road (JK 9948 9163)”

Substitute

“San Sham Road (from 840564 m (N), 826191 m (E) to 840530 m (N), 826159 m (E))”.

- (6) The Schedule, Part I, item 2C—

Repeal

“JK 9948 9163”

Substitute

“from 840564 m (N), 826191 m (E) to 840530 m (N), 826159 m (E)”.

- (7) The Schedule, Part I, item 2D—

Repeal

“at the junction of Lok Ma Chau Road and Ha Wan Tsuen Road (JK 9936 9230) along Lung Hau Road”

Substitute

“(from 841896 m (N), 825418 m (E) to 841893 m (N), 825399 m (E)) along an unnamed road”.

- (8) The Schedule, Part I, item 2D—

Repeal

“that junction”

Substitute

“that boundary”.

- (9) The Schedule, Part I, item 2E—

Repeal

“at the junction of Lok Ma Chau Road and Ha Wan Tsuen Road (JK 9936 9230) along Ha Wan Tsuen Road and Lung Hau Road”

Substitute

“(from 841896 m (N), 825418 m (E) to 841893 m (N), 825399 m (E)) along an unnamed road”.

- (10) The Schedule, Part I, item 2E—

Repeal

“that junction”

Substitute

“that boundary”.

Commissioner of Police

2013

Explanatory Note

This Notice amends the Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) (*principal Notice*) as a result of certain amendments made to the Frontier Closed Area Order (Cap. 245 sub. leg. A) (*Order*) that change the boundaries of the frontier closed area.

2. The Notice also amends the principal Notice to identify certain locations with coordinates using Hong Kong 1980 Grid System instead of Universal Transverse Mercator Grid System, so as to align with the Order and to improve accuracy.

Chapter:	245A	Frontier Closed Area Order	Gazette Number	Version Date
		Empowering section	E.R. 2 of 2012	02/08/2012

(Cap 245, section 36)

[7 September 1984]

(Originally L.N. 322 of 1984)

(*Format changes—E.R. 2 of 2012)

Note:*** The format of the whole Order has been updated to the current legislative styles.**

Paragraph:	1	Citation	E.R. 2 of 2012	02/08/2012
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This order may be cited as the Frontier Closed Area Order.

Paragraph:	2	Area declared to be closed area	E.R. 2 of 2012	02/08/2012
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The area specified in the Schedule is declared to be a closed area.

Schedule:		Schedule	L.N. 170 of 2011 & L.N. 19 of 2012	15/02/2012
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[paragraph 2]

1. The area enclosed by joining the positions from Point 1 to Point 65 and from Point 65 back to Point 1.
2. In this Schedule—

Point (點) means a point that has—

- (a) a point number set out in column 1 of the following Table; and
- (b) Northing and Easting coordinates set out respectively in columns 2 and 3 of the following Table opposite the point number.

3. The coordinates are based on Hong Kong 1980 Grid System.

(L.N. 19 of 2012)

Table

Column 1	Column 2	Column 3	Column 4
Point number	Northing (m)	Easting (m)	Remarks
1	839637	821002	From there NORTHEAST following a line of bearing 61° until it stops at the centre line of the Shenzhen River, then

			EAST following the centre line of the Shenzhen River and the boundary of the administrative division of the Hong Kong Special Administrative Region of the People's Republic of China to Point 2.
2	844880	842107	From there NORTHEAST following the mouth of Sha Tau Kok Hoi (Starling Inlet) to Point 3.
3	845333	842310	From there NORTHEAST across Sha Tau Kok Hoi (Starling Inlet) to Point 4.
4	845602	843042	From there SOUTH following the coast line of Sha Tau Kok Hoi (Starling Inlet) along the high water mark to Point 5, which is the western edge of the pier.
5	844898	840799	From there NORTH following the western edge of the pier to Point 6, which is located at the junction of the pier edge and the fence.
6	844913	840799	From there EAST across a road following the fence to Point 7, which is located at the northern end of the fence.
7	845056	840788	From there NORTHWEST across Sha Tau Kok Road — Shek Chung Au to Point 8.
8	845071	840786	From there NORTHWEST following the fence to Point 9, which is located at the junction of the fences.
9	845125	840785	From there NORTHWEST following the fence to Point 10, which is located at the junction of the fences.
10	845342	840925	From there NORTHEAST following the fence to Point 11, which is located at the junction of the fences.
11	845626	840988	From there NORTHWEST following Shan Tsui Village Road to Point 12.
12	845637	840949	From there NORTHWEST following the fence to Point 13.
13	846082	837261	From there SOUTH following a straight line of bearing 180° to Point 14.
14	845046	837261	From there NORTHWEST to Point 15, which is located at the ridge of Wong Mau Hang Shan.
15	845380	836000	From there NORTHEAST to Point 16.
16	845390	836010	From there NORTHWEST to Point 17.
17	845510	835920	From there NORTHWEST to Point 18.
18	845530	835870	From there NORTHWEST to Point 19.
19	845550	835690	From there SOUTHWEST to Point 20.
20	845410	835480	From there SOUTHWEST to Point 21.

21	845330	835270	From there NORTHWEST to Point 22.
22	845340	835080	From there NORTHWEST to Point 23.
23	845470	834940	From there NORTHWEST to Point 24.
24	845520	834840	From there NORTHEAST to Point 25.
25	845560	834870	From there SOUTHWEST to Point 26.
26	845550	834690	From there SOUTH to Point 27.
27	845403	834689	From there EAST to Point 28.
28	845403	834752	From there SOUTHEAST to Point 29.
29	845350	834770	From there SOUTH to Point 30.
30	845270	834770	From there SOUTHEAST to Point 31.
31	845230	834780	From there SOUTH to Point 32.
32	845200	834780	From there SOUTHEAST to Point 33.
33	845150	834800	From there SOUTHEAST to Point 34.
34	845139	834850	From there SOUTHEAST following an anti-clockwise curve with R = 45 m to Point 35.
35	845100	834900	From there EAST to Point 36.
36	845100	834940	From there SOUTHEAST following an anti-clockwise curve with R = 225 m to Point 37.
37	844870	835090	From there SOUTHWEST to Point 38.
38	844600	834629	From there SOUTHWEST to Point 39, which is located at the southern end of Tong Fong.
39	844067	833712	From there SOUTHWEST to Point 40.
40	844020	833316	From there SOUTHWEST to Point 41, which is located at the southern end of Chow Tin Tsuen.
41	843862	833016	From there SOUTHWEST to Point 42, which is located at the summit of Kong Nga Po.
42	843260	831930	From there SOUTHWEST to Point 43, which is located at Sandy Ridge.
43	842510	830720	From there WEST to Point 44.
44	842510	830600	From there SOUTHWEST to Point 45, which is located at the Police Post on Man Kam To Road.
45	842500	830590	From there SOUTHWEST to Point 46.
46	842110	830110	From there NORTHWEST to Point 47, which is located at Tai Shek Mo.
47	842573	829121	From there SOUTHWEST to Point 48.
48	841928	827740	From there SOUTHWEST to Point 49.
49	841268	826933	From there NORTHWEST to Point 50.
50	841385	826357	From there SOUTHWEST to Point 51, which is located at the fence of Lok Ma Chau Boundary Control Point.
51	841130	825824	From there SOUTHEAST following the fence to Point 52, which is located at the end of the fence.
52	840763	826011	From there SOUTHEAST following the wall to Point 53.
53	840564	826191	From there SOUTHWEST across San Sham Road to Point 54.

54	840530	826159	From there NORTHWEST following the wall to Point 55, which is located at the start of the fence.
55	840600	826098	From there NORTHWEST following the fence to Point 56 where it meets the edge of the flyover.
56	841705	825385	From there NORTHWEST following the edge of the flyover and across the nullah to Point 57.
57	841719	825381	From there NORTHWEST following the fence to Point 58.
58	841885	825345	From there SOUTHWEST following the fence to Point 59, which is located at the junction of the fences.
59	841813	824993	From there SOUTH following the fence of the Lok Ma Chau Spur Line Boundary Control Point (columns supporting the viaduct are excluded) to Point 60, which is located at the end of the fence.
60	841619	824650	From there WEST following the building edge of the Sewage Plant to Point 61, which is located at the start of the fence.
61	841652	824632	From there EAST following the fence to Point 62, which is located at the junction of the fences.
62	841743	824681	From there SOUTHWEST following the fence to Point 63, which is located at the junction of the fences.
63	839649	823018	From there SOUTHWEST following the fence to Point 64, which is located at the end of the fence.
64	838112	821425	From there WEST to Point 65.
65	838108	821030	Finally NORTH returning to Point 1.

Notes:

1. Point 1, Point 48 to Point 65 are shown on the plan titled "PLAN 1 OF FRONTIER CLOSED AREA" annexed to this Schedule.
2. Point 20 to Point 47 are shown on the plan titled "PLAN 2 OF FRONTIER CLOSED AREA" annexed to this Schedule.
3. Point 2 to Point 19 are shown on the plan titled "PLAN 3 OF FRONTIER CLOSED AREA" annexed to this Schedule.
4. The plans annexed to this Schedule are provided for information only.

(L.N. 19 of 2012)

Chapter:	245H	FRONTIER CLOSED AREA (PERMISSION TO ENTER) NOTICE	Gazette Number	Version Date
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		Empowering section		30/06/1997
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(Cap 245 section 38A(1))

[9 September 1983]

(Originally L.N. 295 of 1983)

Paragraph:	1	Citation		30/06/1997
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This notice may be cited as the Frontier Closed Area (Permission to Enter) Notice.

Paragraph:	1A	Interpretation	L.N. 167 of 2007	15/08/2007
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In this Notice—

“cross-boundary passenger” (過境乘客) means a passenger travelling to or from the Mainland of China;

“franchised bus” (專利巴士) means a bus in respect of which a franchise is in force under the Public Bus Services Ordinance (Cap 230);

“Frontier Closed Area” (邊境禁區) means the area specified in the Schedule to the Frontier Closed Area Order (Cap 245 sub. leg. A);

“passenger service licence” (客運營業證) has the meaning assigned to it by section 2 of the Road Traffic Ordinance (Cap 374);

“scheduled service” (專綫服務) has the meaning assigned to it by regulation 2(1) of the Road Traffic (Public Service Vehicles) Regulations (Cap 374 sub. leg. D);

“specified route” (指明路綫) has the meaning assigned to it by section 2 of the Public Bus Services Ordinance (Cap 230).

(L.N. 74 of 2007)

Paragraph:	2	Permission to enter or leave		30/06/1997
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Without prejudice to the provisions of any other Ordinance, persons within the classes or categories of persons specified in the second column of the Schedule are, for the purposes of the Public Order Ordinance (Cap 245), permitted to enter or leave the Frontier Closed Area during the times specified in relation thereto respectively in the third column of the Schedule and, in the case of the persons specified in Part I of the Schedule, subject to the conditions specified in the fourth column of the Schedule.

Paragraph:	3	(Repealed L.N. 74 of 2007)	L.N. 167 of 2007	15/08/2007
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Schedule:		SCHEDULE	L.N. 200 of 2007	02/12/2007
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[paragraph 2]

PART I

Item	Persons permitted to enter or leave	Times	Conditions
1.	Persons travelling to or from the	At any time	The person shall not leave railway

Mainland of China who enter or leave the Frontier Closed Area by train.

premises as defined for the purposes of— (L.N. 108 of 2003; L.N. 74 of 2007; 11 of 2007 s. 36)

- (a) during the Concession Period within the meaning of section 2(1) of the Mass Transit Railway Ordinance (Cap 556), the Mass Transit Railway Ordinance (Cap 556); and
- (b) at any other time, the Kowloon-Canton Railway Corporation Ordinance (Cap 372). (11 of 2007 s. 36)

2. The drivers of and cross-boundary passengers on road vehicles to or from the Mainland of China, entering or leaving Hong Kong via Man Kam To Boundary Control Point. At any time

The driver shall drive his vehicle directly from the Sha Ling road block (KK 0391 9348) along the Man Kam To Road to the Man Kam To Boundary Control Point or from that Control Point along that road to that road block, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 266 of 1987; L.N. 108 of 2003; L.N. 74 of 2007)

2A. The drivers of and cross-boundary passengers on road vehicles to or from the Mainland of China, entering or leaving Hong Kong via Sha Tau Kok Boundary Control Point. At any time

The driver shall drive his vehicle directly from the Shek Chung Au road block (KK 1324 9502) along the Sha Tau Kok Road to the Sha Tau Kok Boundary Control Point or from that Control Point to that road block, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 266 of 1987; L.N. 108 of 2003; L.N. 74 of 2007)

2B. The drivers of and cross-boundary passengers on road vehicles to or from the Mainland of China, entering or leaving Hong Kong via Lok Ma Chau Boundary Control Point. At any time

The driver shall drive his vehicle directly from the Frontier Closed Area boundary on the San Sham Road (JK 9948 9163) to the Lok Ma Chau Boundary Control Point or from that Control Point to that boundary on San Sham Road, and the driver or passenger shall not leave the immediate vicinity of the vehicle. (L.N. 108 of 2003; L.N. 74 of 2007)

2C. The drivers of taxis and public light buses on a scheduled service who enter or leave the Frontier Closed Area for the sole purpose of carrying persons entering or leaving Lok Ma Chau Boundary Control Point, and the persons—
(a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via that Control Point; or
(b) who leave, or intend to leave, Beginning on 2300 hours on each day and ending with 0630 hours on the next day

The driver—
(a) shall drive his vehicle directly from the Frontier Closed Area boundary on San Sham Road (JK 9948 9163) to the Lok Ma Chau Boundary Control Point or from that Control Point to that boundary on San Sham Road; and
(b) shall not leave the immediate vicinity of the vehicle.
The person shall not leave the immediate vicinity of the vehicle at any place other than that Control Point. (L.N. 108 of 2003;

that Area by those vehicles after entering Hong Kong via that Control Point.

L.N. 74 of 2007)

- 2D. The drivers of taxis and the drivers of franchised buses on a specified route in uniform, who enter or leave the Frontier Closed Area for the sole purpose of carrying persons to or from the Lok Ma Chau Spur Line Public Transport Interchange, and the persons—
- Beginning on 0600 hours on each day and ending with 0030 hours on the next day
- The driver—
- (a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via the Lok Ma Chau Spur Line Control Point;
 - (b) who, after entering Hong Kong via that Control Point, enter, or intend to enter, that Interchange for the sole purpose of leaving that Area by those vehicles; or
 - (c) who, after entering Hong Kong via that Control Point, are travelling on those vehicles for the purpose of leaving that Area.
- (a) shall drive his vehicle directly from the Frontier Closed Area boundary at the junction of Lok Ma Chau Road and Ha Wan Tsuen Road (JK 9936 9230) along Lung Hau Road to the Lok Ma Chau Spur Line Public Transport Interchange or from that Interchange to that junction; and
- (b) shall not leave the immediate vicinity of the vehicle.
- The person—
- (a) under paragraph (a) in the second column, shall not leave the immediate vicinity of that vehicle at any place other than that Interchange;
 - (b) under paragraph (b) in the second column, shall leave that Interchange without undue delay; and
 - (c) under paragraph (c) in the second column, shall not leave the immediate vicinity of that vehicle. (L.N. 74 of 2007)
- 2E. The drivers of public light buses on a scheduled service who enter or leave the Frontier Closed Area for the sole purpose of carrying persons to or from the Lok Ma Chau Spur Line Public Transport Interchange or Ha Wan Tsuen, and the persons—
- Beginning on 0600 hours on each day and ending with 0030 hours on the next day
- The driver—
- (a) who enter that Area by those vehicles for the sole purpose of leaving Hong Kong via the Lok Ma Chau Spur Line Control Point;
 - (b) who, after entering Hong Kong via that Control Point, enter, or intend to enter, that Interchange for the sole purpose of leaving that Area by those vehicles; or
 - (c) who, after entering Hong Kong via that Control Point, are travelling on those vehicles for the purpose of leaving that Area.
- (a) shall, unless stopping to pick up or set down passengers as specified in the passenger service licence in respect of the scheduled service, drive his vehicle directly from the Frontier Closed Area boundary at the junction of Lok Ma Chau Road and Ha Wan Tsuen Road (JK 9936 9230) along Ha Wan Tsuen Road and Lung Hau Road to the Lok Ma Chau Spur Line Public Transport Interchange or from that Interchange to that junction; and
- (b) shall not leave the immediate vicinity of the vehicle.
- The person—
- (a) under paragraph (a) in the second column, shall not leave the immediate vicinity of that vehicle at any place other than that Interchange;
 - (b) under paragraph (b) in the second column, shall leave that Interchange without undue delay; and
 - (c) under paragraph (c) in the second column, shall not leave the immediate vicinity of that vehicle. (L.N. 74 of

2007)

PART II

Item	Persons permitted to enter or leave	Times
3.	Residents of the closed area under the age of 18 years.	At any time
4.	Employees of the Kowloon Motor Bus Company (1933) Limited in uniform and operating company buses on authorized routes within the closed area.	At any time
5.	Employees of the Kowloon-Canton Railway Corporation on duty on board trains or otherwise in the course of their duties within the closed area at any time outside the Concession Period within the meaning of section 2(1) of the Mass Transit Railway Ordinance (Cap 556). (11 of 2007 s. 36)	At any time
5A.	Employees of the MTR Corporation Limited on duty on board trains or otherwise in the course of their duties in the closed area during the Concession Period referred to in item 5. (11 of 2007 s. 36)	At any time
6.	Employees of the Guangzhou Railway Administration or the Motor Transport Company of Guangdong and Hong Kong Limited operating trains or company road transport to or from the Mainland of China. (L.N. 108 of 2003)	At any time

Economic and Environmental Implications of the Recommendation

Economic Implications

The further reduction of the FCA would release more land for the further development of Hong Kong. Although the land to be excised will be primarily for conservation purposes, some could be deployed for other uses, including higher education, high-tech industries and cultural and creative industries.

Environmental Implications

2. In line with the objective to achieve a proper balance between development and conservation, the “Study on Land Use Planning for the Closed Area” completed in July 2010 has formulated a Recommended Development Plan (RDP) with a proposed sustainable planning framework respecting the existing rural settings, local traditions and ways of life without compromising the ecologically and environmentally sensitive areas.