

政府總部  
運輸及房屋局  
運輸科



香港添馬添美道 2 號  
政府總部東翼

**Transport and  
Housing Bureau**  
**Government Secretariat**  
**Transport Branch**

East Wing, Central Government Offices,  
2 Tim Mei Avenue,  
Tamar, Hong Kong

電話 Tel: 3509 8177

傳真 Fax: 2136 8016

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Secretary General  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Sophie LAU)

Dear Ms Lau,

**Bills Committee on Guangzhou-Shenzhen-Hong Kong  
Express Rail Link (Co-location) Bill**

**Letter from Hon IP Kin-yuen dated 27 April 2018**

We refer to your letter dated 30 April 2018, enclosing a letter from Hon IP Kin-yuen dated 27 April 2018 in respect of the follow-up enquiry on the content of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill (“Bill”). Our reply is as follows.

## **(A) Trash processing in cross-boundary facilities**

(Part A of Hon IP Kin-yuen's written enquiry)

The Customs and Excise Department ("C&ED") has been conducting customs inspection based on risk assessment for cross-boundary conveyances such as aircrafts, trains and vessels at control points, including the Hong Kong International Airport, the Hung Hom Intercity Through Train Station and cross-boundary ferry terminals etc. It also inspects trash cleared from those conveyances. It has been a long-established arrangement to conduct customs inspections for cross-boundary conveyances and trash cleared therefrom. In the past few years, C&ED seized contrabands or dutiable goods in the course of the aforementioned inspections, though no statistics in this respect is maintained.

In future, C&ED will adopt the same approach in handling the trash cleared from the West Kowloon Station Mainland Port Area ("MPA") (including train compartments, platforms and other areas within the MPA) to prevent contrabands or smuggled goods from flowing into Hong Kong. This will be no different from the arrangement at other control points in Hong Kong.

## **(B) Back-up trains**

(Part B of Hon IP Kin-yuen's written enquiry)

As we explained at previous Bills Committee meetings, the Shek Kong Stabling Sidings ("SSS") is a place for stabling and maintenance for high-speed rail trains purchased by the MTR Corporation Limited ("MTRCL"). Passenger trains will only stay at or go to and fro between the SSS before or after operation, and will not carry passengers to and fro between the SSS.

Should there be an incident on the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (“XRL”) which requires the MTRCL to send another passenger train to the scene to pick up the affected passengers, such a passenger train will set off from the West Kowloon Station or Futian Station for the scene direct. Pursuant to Clause 5(1) of the Bill, a train compartment of a passenger train in operation on the Hong Kong Section of the XRL (including a passenger train which is in motion, stationary and during embarkation or disembarkation) is to be regarded as part of the West Kowloon Station MPA save for the scenarios specified in Clause 5(2).

As the entire journey for these back-up trains from the West Kowloon Station or Futian Station to the scene does not fall under the scenarios specified in Clause 5(2) of the Bill, the relevant train compartments are to be regarded as the MPA throughout the entire journey of such passenger trains to the scene. The provisions in Clause 5 of the Bill are consistent with the above operational arrangement.

### **(C) Evacuation arrangement after train incidents**

(Part C of Hon IP Kin-yuen’s written enquiry)

The MTRCL, the Fire Services Department (“FSD”) and relevant departments are professed with knowledge and experience to cope with possible emergencies during railway operation. In the event of breakdowns or emergencies during train operation on the Hong Kong Section of the XRL, the MTRCL and relevant departments will implement appropriate contingency plans in light of the nature of the incident and the on-the-spot circumstances and with due regard to the safety of passengers and staff. Where evacuation is necessary, staff (including those of the MTRCL and FSD) will offer assistance at the

scene during the process to ensure safe evacuation of all passengers.

According to the Bill, a train compartment of a passenger train in operation on the Hong Kong Section of the XRL is to be regarded as part of the MPA. If passengers on such passenger trains in operation need to be evacuated, we will apply the principle of “prioritizing rescue” and tackle any resultant clearance matters in view of the specific circumstances.

The Government of the Hong Kong Special Administrative Region is now discussing with relevant Mainland authorities on the specific details of various arrangements under the emergency response mechanism. In any event, Article 6 of the Co-operation Arrangement provides that Mainland law enforcement officers shall not enter any area outside the MPA to enforce the law, and have no law enforcement powers outside the MPA. Therefore, any Mainland law enforcement officer who needs to be evacuated to an area outside the MPA as a result of emergencies shall abide by the laws of Hong Kong as other ordinary passengers do, and shall have no law enforcement powers.

Yours sincerely,



( Ronald CHENG )

for Secretary for Transport and Housing

c.c. Secretary for Justice  
Secretary for Security