

**File Ref.: SBCR 2/1/2098/13**

## **LEGISLATIVE COUNCIL BRIEF**

Public Order Ordinance  
(Chapter 245)

### **CLOSED AREA (HEUNG YUEN WAI BOUNDARY CONTROL POINT) ORDER**

### **HEUNG YUEN WAI BOUNDARY CONTROL POINT CLOSED AREA (PERMISSION TO ENTER) NOTICE**

### **FRONTIER CLOSED AREA (PERMISSION TO ENTER) (AMENDMENT) NOTICE 2018**

Immigration Ordinance  
(Chapter 115)

### **IMMIGRATION (PLACES OF DETENTION) (AMENDMENT) (NO.2) ORDER 2018**

Immigration Service Ordinance  
(Chapter 331)

### **IMMIGRATION SERVICE (DESIGNATED PLACES) (AMENDMENT) (NO.2) ORDER 2018**

## **INTRODUCTION**

To cater for the commissioning of Heung Yuen Wai Boundary Control Point (HYWBCP), we need to enact technical subsidiary legislation relating to the operations of HYWBCP. This paper aims to brief Members on the relevant legislative work.

2. At the meeting of the Executive Council on 18 September 2018, the Council ADVISED and the Chief Executive ORDERED that the Closed Area (Heung Yuen Wai Boundary Control Point) Order (the

Order), at **Annex A**, should be made under section 36(1) of the Public Order Ordinance (Cap. 245) (POO).

3. To grant general permission to cross-boundary drivers, passengers and travellers for entering or leaving the closed area declared under the Order, the Commissioner of Police (CP) has made the Heung Yuen Wai Boundary Control Point Closed Area (Permission to Enter) Notice (the HYWBCP Notice), at **Annex B**, under section 38A of the POO. Besides, as the five cross-boundary bridges of HYWBCP are located within the existing frontier closed area (FCA) declared under the Frontier Closed Area Order (Cap. 245 sub. leg. A), the CP has made the Frontier Closed Area (Permission to Enter) (Amendment) Notice 2018 (the FCA Amendment Notice), at **Annex C**, under section 38A of the POO to grant permission to enter or leave the FCA to persons who arrive at or depart from Hong Kong via HYWBCP.

4. Separately, the Secretary for Security (S for S) has made the Immigration (Places of Detention) (Amendment) (No.2) Order 2018, at **Annex D**, and the Immigration Service (Designated Places) (Amendment) (No.2) Order 2018, at **Annex E** (collectively the Amendment Orders), under section 35(1) of the Immigration Ordinance (Cap. 115) and section 13A(9) of the Immigration Service Ordinance (Cap. 331) respectively, to set up detention quarters at HYWBCP for use by the Immigration Department (ImmD) in its routine immigration control and law enforcement duties.

## **JUSTIFICATIONS**

### **THE ORDER**

5. Located in northeastern New Territories, HYWBCP will be the fifth vehicular boundary control point between Hong Kong and Shenzhen. This new boundary control point will allow free and direct access by people and vehicles. Travellers may have free access, either by vehicles or on foot, to HYWBCP. A location map showing the location of HYWBCP is attached to the Order at **Annex A**.

6. In order to maintain law and order at vehicular boundary control points, all such control points are currently administered under the closed area approach, either under the POO or the Shenzhen Bay Port Hong Kong Port Area Ordinance (Cap. 591). We consider it necessary

to adopt the same approach for HWYBCP to safeguard its security and effective operation.

7. In order to avoid disruption to customs, immigration and quarantine clearance, the proposed closed area for HYWBCP must cover the core areas relating to clearance, including (a) the clearance areas for passengers, cross-boundary coaches and private cars at the Passenger Terminal Building (PTB), (b) the clearance areas for goods vehicles, and (c) other related areas, such as the cross-boundary coach drop-off and pick-up areas and the vehicular bridges leading to the clearance areas for cross-boundary coaches and private cars (collectively the Closed Area).

8. Meanwhile, the following areas are not included in the Closed Area under the Order –

- (a) HYWBCP is designed to provide direct vehicular and passenger access. The private car pick-up and drop-off areas, public carpark, public transport interchange (PTI) located at the PTB and a pedestrian subway connecting the PTI and the nearby Lin Ma Hang Road will remain non-closed areas in order to provide the public with direct access to the control point; and
- (b) there will be four cross-boundary vehicular bridges and one cross-boundary pedestrian bridge connecting HYWBCP and Shenzhen. These five bridges are already located within the existing FCA declared under the Frontier Closed Area Order, which was made for public order and security reasons. There is thus no need to include them in the Closed Area under the Order.

The areas in HYWBCP to be included in the proposed Closed Area are shown in Plan 1 in Schedule 3 to the Order at **Annex A**.

9. Having regard to the specific circumstances of HYWBCP, the designation of the Closed Area will need to be three-dimensional, i.e. the Closed Area needs to be defined with reference to both horizontal and vertical boundaries. The three-dimensional approach is justified because there will be overlapping roads in HYWBCP and some of the roads in the Closed Area will be directly above roads that should remain non-closed areas. Also, each floor of the PTB will comprise closed areas and non-closed areas of a different layout, some of the closed areas and

non-closed areas are vertically overlapping with each other. A similar three-dimensional approach was adopted in the closed area order made for the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port and Hong Kong Link Road (L.N. 162 of 2017).

10. The lower vertical boundary of the Closed Area varies from one zone to another depending on the specific circumstances of each zone, such as the existence of structures and overlapping roads. As for the upper vertical boundary, we need to cover the maximum height of all structures in the proposed Closed Area. Having regard to the height of the highest structure in the proposed Closed Area (around +60 to +70 metres above Hong Kong Principal Datum (mPD)), the upper vertical boundary of the entire Closed Area is set as +70mPD. Apart from the written descriptions of the horizontal and vertical boundaries in the Order, a set of maps is used to accurately describe the Closed Area to be declared. The Order will take effect on a day to be appointed by the S for S, which will be the day on which HYWBCP comes into operation.

#### THE HYWBCP NOTICE

11. Following the practice of other vehicular boundary control points, after the declaration of the Closed Area, the CP needs to make a notice under section 38A of the POO granting general permission to cross-boundary drivers, passengers and travellers for entering or leaving the Closed Area. Such permission aims at providing facilitation to the abovementioned persons such that they can enter or leave the Closed Area without the need for a closed area permit.

12. Section 1 of the HYWBCP Notice at **Annex B** provides that the effective date of the HYWBCP Notice aligns with that of the Order, while Section 2 defines the terms used in the HYWBCP Notice.

13. Section 3 provides that a person of a category specified in column 2 of Part 2 of the Schedule is permitted to enter or leave the Closed Area at any time subject to the conditions applicable to a person of that category. Under Part 2 of the Schedule of the HYWBCP Notice, subject to the conditions specified in Column 3 of that Part, permission is granted to drivers of cross-boundary road vehicles, cross-boundary passengers on road vehicles as well as persons who arrive at or depart from Hong Kong via the PTB of HYWBCP, to enter or leave the Closed Area.

## THE FCA AMENDMENT NOTICE

14. As mentioned in paragraph 8(b) above, the five cross-boundary bridges of HYWBCP are located within the existing FCA declared under the Frontier Closed Area Order. The CP therefore needs to make the FCA Amendment Notice to amend the existing Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) in order to grant permission for persons who arrive at or depart from Hong Kong via HYWBCP to enter or leave the FCA.

15. Similarly, Section 1 of the FCA Amendment Notice at **Annex C** provides that the effective date of the FCA Amendment Notice also aligns with that of the Order. Section 4 adds a new item 2G to Part 1 of the Schedule to the Frontier Closed Area (Permission to Enter) Notice. The new item grants permission to enter or leave the FCA for persons who enter or leave Hong Kong via HYWBCP, subject to the conditions specified in fourth column of the Schedule.

## THE AMENDMENT ORDERS

16. Apart from the Order, the HYWBCP Notice and the FCA Amendment Notice, it is necessary to make subsidiary legislation for setting up detention quarters at HYWBCP for use by the ImmD in its routine immigration control and law enforcement duties, as in most other control points. The subsidiary legislation should also take effect when HYWBCP comes into operation.

17. Section 1 of the Amendment Orders at **Annex D** and **Annex E** provides that the effective date of the Amendment Orders aligns with that of the Order. Section 2 of the Immigration (Places of Detention) (Amendment) (No.2) Order 2018 amends Schedule 3 of the Immigration (Places of Detention) Order (Cap. 115 sub. leg. B) by adding the new detention quarters within the PTB at HYWBCP. Likewise, Section 2 of the Immigration Service (Designated Places) (Amendment) (No.2) Order 2018 amends the Schedule to the Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) to the same effect.

## **LEGISLATIVE TIMETABLE**

18. The legislative timetable for the above subsidiary legislation is as follows –

Publication in the Gazette	5 October 2018
Tabling at the Legislative Council (for negative vetting)	10 October 2018
Commencement	<p>The Order comes into operation on a day to be appointed by the S for S by notice published in the Gazette, which will be the day on which HYWBCP comes into operation</p> <p>The other relevant subsidiary legislation comes into operation on the day on which the Order comes into operation</p>

## **IMPLICATIONS OF THE PROPOSALS**

19. The proposals are in conformity with the Basic Law, including the provisions concerning human rights. They do not affect the current binding effect of the POO, the Immigration Ordinance and the Immigration Service Ordinance. They have no financial, civil service, economic, productivity, environmental, sustainability, family or gender implications.

## **PUBLIC CONSULTATION**

20. We informed the Legislative Council Panel on Security on 17 August 2018 of the proposed legislative amendments through an information note. Members raised no queries or objection.

## **PUBLICITY**

21. A press release will be issued on 3 October 2018. A spokesperson will be available to answer media and public enquiries. Nearer the time of commencement of the relevant subsidiary legislation, suitable measures will be put in place to inform users of HYWBCP of the details of the Closed Area to ensure smooth flow of passengers and vehicles.

## **ENQUIRIES**

22. Enquiries on this brief can be addressed to Mr Parson Lam, Principal Assistant Secretary for Security (Tel: 2810 2506).

**Security Bureau**  
**October 2018**

## Closed Area (Heung Yuen Wai Boundary Control Point) Order

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## Closed Area (Heung Yuen Wai Boundary Control Point) Order

(Made by the Chief Executive under section 36(1) of the Public Order Ordinance (Cap. 245) after consultation with the Executive Council)

### 1. Commencement

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

### 2. Interpretation

In this Order—

***Heung Yuen Wai Boundary Control Point*** (香園圍邊境管制站) means the area delineated and shown edged blue on the map titled “LOCATION MAP OF HEUNG YUEN WAI BOUNDARY CONTROL POINT”, numbered “DNM3609 (LOCATION MAP)” and contained in Schedule 1;

***Passenger Terminal Building*** (旅檢大樓) means the Passenger Terminal Building located at Heung Yuen Wai Boundary Control Point.

### 3. Declaration of closed area

The area comprising the following zones is declared to be a closed area—

- (a) the pink zone described in section 2 of Schedule 2;
- (b) the yellow zone described in section 3 of Schedule 2;
- (c) the green zone described in section 4 of Schedule 2;
- (d) the blue zone described in section 5 of Schedule 2.



## **Schedule 1**

[s. 2]

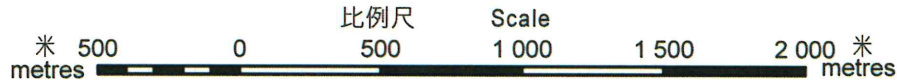
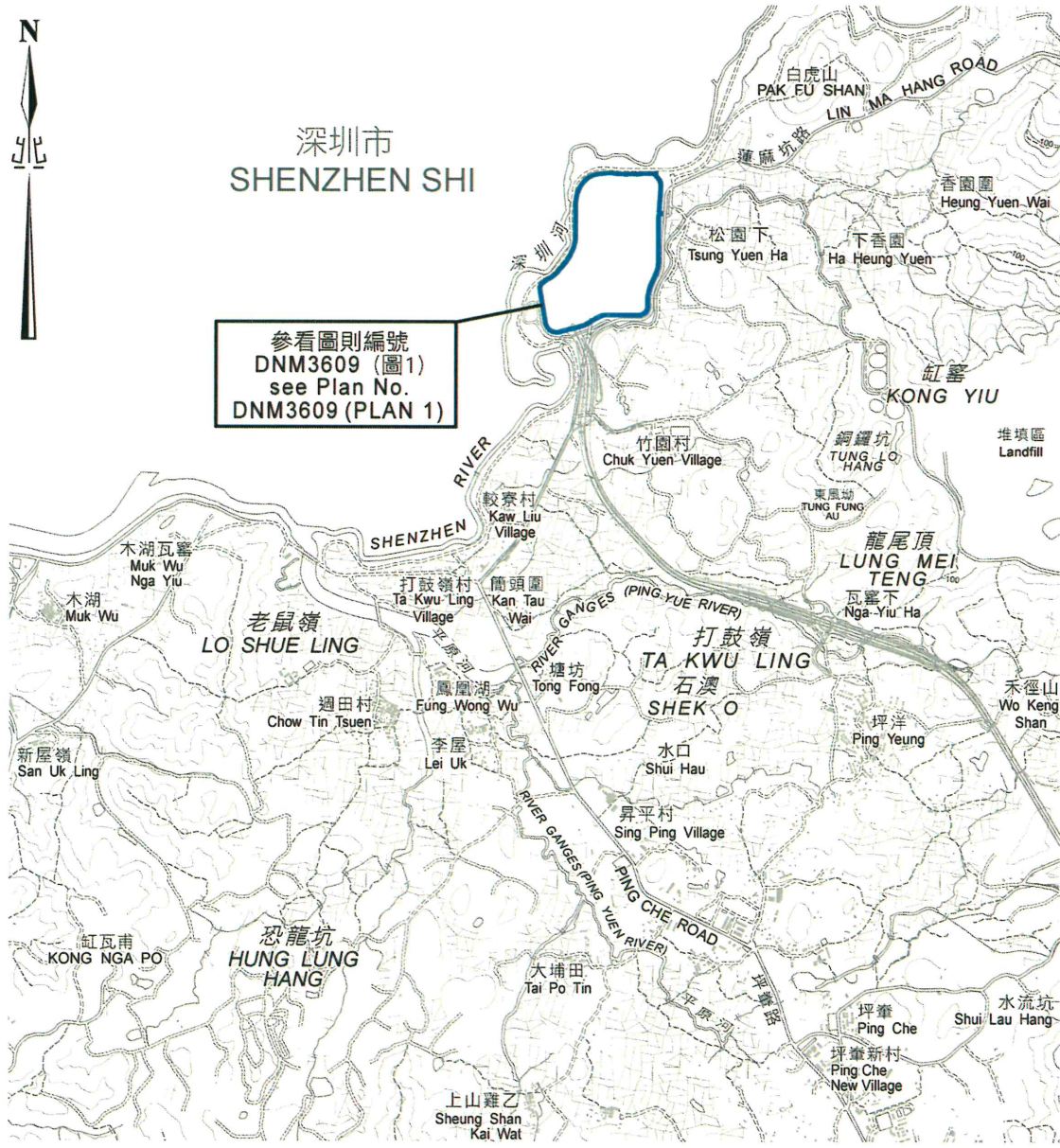
## **Location Map**

**香園圍邊境管制站位置地圖**  
**LOCATION MAP OF HEUNG YUEN WAI BOUNDARY CONTROL POINT**



深圳市  
SHENZHEN SHI

參看圖則編號  
DNM3609 (圖1)  
see Plan No.  
DNM3609 (PLAN 1)



**圖例 LEGEND**

- 藍色邊線 - 香園圍邊境管制站
- Edged blue - Heung Yuen Wai Boundary Control Point

地政總署 北區測量處  
District Survey Office, North  
Lands Department

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圖則編號 DNM3609 (位置地圖)  
Plan No. DNM3609 (LOCATION MAP)

## Schedule 2

[s. 3]

### Zones Comprised in Closed Area

#### 1. Interpretation

In this Schedule—

*Inset of Plan 1* (圖 1 的插圖) means the plan titled “INSET OF PLAN 1 - THE CLOSED AREA IN THE PASSENGER TERMINAL BUILDING AT HEUNG YUEN WAI BOUNDARY CONTROL POINT”, numbered “DNM3609 (INSET of PLAN 1)” and contained in Schedule 3;

*Plan 1* (圖 1) means the plan titled “PLAN 1 - THE CLOSED AREA AT HEUNG YUEN WAI BOUNDARY CONTROL POINT”, numbered “DNM3609 (PLAN 1)” and contained in Schedule 3.

#### 2. Pink zone

(1) Subject to subsection (2), the pink zone is the area enclosed by—

- (a) a horizontal boundary that is the outermost edge line of the area shown coloured pink on Plan 1;
- (b) an upper vertical boundary set at an elevation of +70 mPD (metres above Hong Kong Principal Datum); and
- (c) a lower vertical boundary set at an elevation of +0 mPD (metres above Hong Kong Principal Datum).

(2) The pink zone does not include the area enclosed by—

- (a) a horizontal boundary that is the outermost edge line of the area shown coloured pink hatched black (indicated as a pedestrian subway) on Plan 1;
- (b) an upper vertical boundary set at the bottom surface of the ceiling slab structure of the pedestrian subway; and
- (c) a lower vertical boundary set at the top surface of the floor slab structure of the pedestrian subway.

#### 3. Yellow zone

The yellow zone is the area enclosed by—

- (a) a horizontal boundary that is the outermost edge line of the area shown coloured yellow (indicated as an underpass road) on Plan 1;
- (b) an upper vertical boundary set at the bottom surface of the ceiling slab structure of the underpass road; and
- (c) a lower vertical boundary set at an elevation of +0 mPD (metres above Hong Kong Principal Datum).

#### 4. Green zone

The green zone comprises all of the areas each of which is enclosed by—

- (a) a horizontal boundary that is the outermost edge line of an area shown coloured green (indicated as vehicular bridges leading to the first floor of the Passenger Terminal Building) on Plan 1;
- (b) an upper vertical boundary set at an elevation of +70 mPD (metres above Hong Kong Principal Datum); and
- (c) a lower vertical boundary set at the bottom surface of the bridge deck structure.

**5. Blue zone**

The blue zone comprises all of the following areas—

- (a) all of the areas at the ground floor of the Passenger Terminal Building each of which is enclosed by—
  - (i) a horizontal boundary that is the outermost edge line of an area shown coloured blue on the ground floor plan in the Inset of Plan 1;
  - (ii) an upper vertical boundary set at the bottom surface of the floor slab structure of the mezzanine floor of the Passenger Terminal Building; and
  - (iii) a lower vertical boundary set at the top surface of the floor slab structure of the ground floor of the Passenger Terminal Building;
- (b) all of the areas at the mezzanine floor of the Passenger Terminal Building each of which is enclosed by—
  - (i) a horizontal boundary that is the outermost edge line of an area shown coloured blue on the mezzanine floor plan in the Inset of Plan 1;
  - (ii) an upper vertical boundary set at the bottom surface of the floor slab structure of the first floor of the Passenger Terminal Building; and
  - (iii) a lower vertical boundary set at the top surface of the floor slab structure of the mezzanine floor of the Passenger Terminal Building;
- (c) the area from the first floor of the Passenger Terminal Building that is enclosed by—
  - (i) a horizontal boundary that is the outermost edge line of the area shown coloured blue on the first floor plan in the Inset of Plan 1;

- (ii) an upper vertical boundary set at an elevation of +70 mPD (metres above Hong Kong Principal Datum); and
  - (iii) a lower vertical boundary set at the top surface of the floor slab structure of the first floor of the Passenger Terminal Building.
-

### **Schedule 3**

[Sch. 2]

### **Plans**

圖1 - 香園圍邊境管制站禁區範圍

PLAN 1 - THE CLOSED AREA AT HEUNG YUEN WAI BOUNDARY CONTROL POINT



就旅檢大樓  
內的禁區範圍，  
參看圖1的插圖  
See INSET of PLAN 1  
for the closed area  
in the Passenger  
Terminal Building

往蓮麻坑路  
To Lin Ma Hang Road

貨車檢查亭  
Goods vehicle  
clearance kiosks

貨車檢查亭  
Goods vehicle  
clearance kiosks

比例尺 Scale  
米 100 0 100 200 300 米  
metres metres

圖例 LEGEND

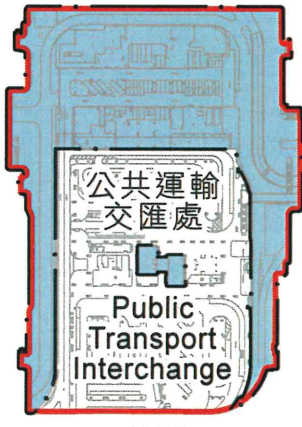
- 粉紅色  
Pink
- 黃色 - 地下通道  
Yellow - underpass road
- 綠色 - 行車天橋(通往旅檢大樓1樓)  
Green - vehicular bridges  
(leading to the first floor of the Passenger Terminal Building)
- 粉紅色綴黑斜線 - 行人隧道  
Pink hatched black - pedestrian subway
- 紅色邊線 - 旅檢大樓  
Edged red - Passenger Terminal Building

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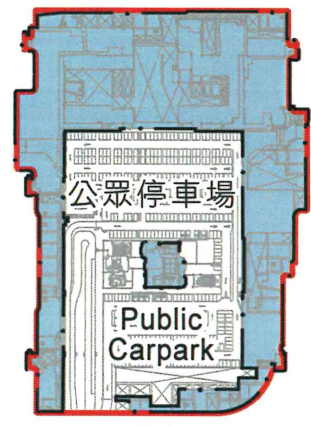
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圖則編號 DNM3609 (圖1)  
Plan No. (PLAN 1)

Schedule 3 Closed Area (Heung Yuen Wai Boundary Control Point) Order

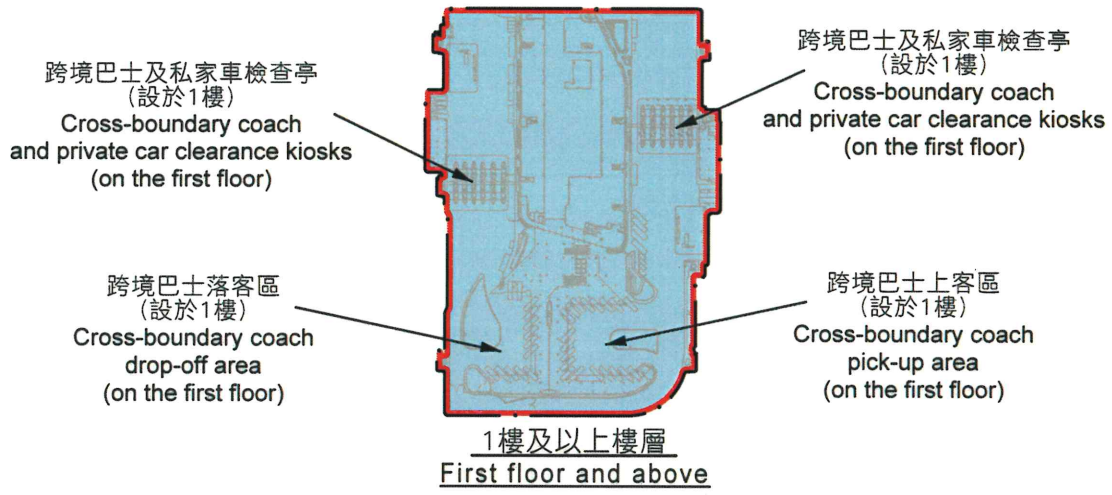
**圖1的插圖 - 香園圍邊境管制站旅檢大樓內的禁區範圍**  
**INSET OF PLAN 1 - THE CLOSED AREA IN THE PASSENGER TERMINAL BUILDING**  
**AT HEUNG YUEN WAI BOUNDARY CONTROL POINT**



**地下**  
**Ground floor**



**閣樓**  
**Mezzanine floor**



**1樓及以上樓層**  
**First floor and above**



**圖例 LEGEND**

藍色  
Blue

紅色邊線 - 旅檢大樓  
Edged red - Passenger Terminal Building

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District Survey Office, North Lands Department  
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圖則編號 DNM3609 (圖1的插圖)  
Plan No. (INSET of PLAN 1)



Chief Executive

21 September 2018

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**Explanatory Note**

This Order declares certain areas located at Heung Yuen Wai Boundary Control Point to be closed areas under the Public Order Ordinance (Cap. 245).

## Heung Yuen Wai Boundary Control Point Closed Area (Permission to Enter) Notice

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

### 1. Commencement

This Notice comes into operation on the day on which the Closed Area (Heung Yuen Wai Boundary Control Point) Order comes into operation.

### 2. Interpretation

In this Notice—

**Closed Area** (禁區) means the area declared to be a closed area under section 3 of the Closed Area Order;

**Closed Area Order** (《禁區令》) means the Closed Area (Heung Yuen Wai Boundary Control Point) Order.

### 3. Permission to enter or leave

Without affecting any other Ordinance, a person of a category specified in column 2 of Part 2 of the Schedule is permitted to enter or leave the Closed Area at any time subject to all of the conditions specified in column 3 of that Part that are applicable to the person of that category.

## Schedule

[s. 3]

### Permission to Enter or Leave

#### Part 1

#### Interpretation

### 1. Interpretation

In this Schedule—

**cross-boundary** (跨境) means travelling to or from the Mainland of China;

**Drop-off Area** (落客區) means the cross-boundary coach drop-off area located at Heung Yuen Wai Boundary Control Point;

**Heung Yuen Wai Boundary Control Point** (香園圍邊境管制站) has the meaning given by section 2 of the Closed Area Order;

**Passenger Terminal Building** (旅檢大樓) means the part of the Passenger Terminal Building located at Heung Yuen Wai Boundary Control Point that is part of the Closed Area;

**Pick-up Area** (上客區) means the cross-boundary coach pick-up area located at Heung Yuen Wai Boundary Control Point.

## Part 2

### Permission to Enter or Leave

Column 1	Column 2	Column 3
Item	Persons permitted to enter or leave	Conditions
1.	The driver of a road vehicle to the Mainland of China, leaving Hong Kong via Heung Yuen Wai Boundary Control Point	<p>(a) Subject to paragraph (b), the driver must not leave the immediate vicinity of the vehicle.</p> <p>(b) For a road vehicle using the Drop-off Area, the driver—</p> <p>(i) may leave the immediate vicinity of the vehicle but must not stay in any place other than the Passenger Terminal Building; and</p>

Column 1	Column 2	Column 3
Item	Persons permitted to enter or leave	Conditions
		<p>(ii) may stay in the Passenger Terminal Building only for the purpose of allowing cross-boundary passengers to alight from the vehicle.</p> <p>(c) The driver must leave the Closed Area without undue delay.</p>
2.	The driver of a road vehicle from the Mainland of China, entering Hong Kong via Heung Yuen Wai Boundary Control Point	<p>(a) Subject to paragraph (b), the driver must not leave the immediate vicinity of the vehicle.</p> <p>(b) For a road vehicle using the Pick-up Area, the driver—</p> <p>(i) may leave the immediate vicinity of the vehicle but must not stay in any place other than the Passenger</p>

Column 1	Column 2	Column 3
Item	Persons permitted to enter or leave	Conditions
3.	A cross-boundary passenger on a road vehicle to the Mainland of China, leaving Hong Kong via Heung Yuen Wai Boundary Control Point	<p>Terminal Building; and</p> <p>(ii) may stay in the Passenger Terminal Building only for the purpose of allowing cross-boundary passengers to board the vehicle.</p> <p>(c) The driver must leave the Closed Area without undue delay.</p> <p>(a) Subject to paragraph (b), the passenger must not leave the immediate vicinity of the vehicle.</p> <p>(b) For a road vehicle using the Drop-off Area, the passenger—</p> <p>(i) may leave the immediate vicinity of the vehicle but must not stay in any place other than</p>

Column 1	Column 2	Column 3
Item	Persons permitted to enter or leave	Conditions
4.	A cross-boundary passenger on a road vehicle from the Mainland of China, entering Hong Kong via Heung Yuen Wai Boundary Control Point	<p>the Passenger Terminal Building; and</p> <p>(ii) may stay in the Passenger Terminal Building only for the purpose of leaving Hong Kong.</p> <p>(c) The passenger must leave the Closed Area without undue delay.</p> <p>(a) Subject to paragraph (b), the passenger must not leave the immediate vicinity of the vehicle.</p> <p>(b) For a road vehicle using the Pick-up Area, the passenger—</p> <p>(i) may leave the immediate vicinity of the vehicle but must not stay in any place other than the Passenger Terminal</p>

Column 1	Column 2	Column 3
Item	Persons permitted to enter or leave	Conditions
5.	A person who leaves or enters Hong Kong via the Passenger Terminal Building (other than a passenger described in item 3 or 4)	<p>Building; and</p> <p>(ii) may stay in the Passenger Terminal Building only for the purpose of entering Hong Kong.</p> <p>(c) The passenger must leave the Closed Area without undue delay.</p> <p>The person—</p> <p>(a) must not stay in any place other than the Passenger Terminal Building; and</p> <p>(b) must leave the Passenger Terminal Building without undue delay.</p>



Commissioner of Police

2018 -09-26

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### **Explanatory Note**

The object of this Notice is to grant permission to persons leaving or entering Hong Kong via Heung Yuen Wai Boundary Control Point to enter or leave the area declared to be a closed area under section 3 of the Closed Area (Heung Yuen Wai Boundary Control Point) Order.

## Frontier Closed Area (Permission to Enter) (Amendment) Notice 2018

(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 the day on which the Closed Area (Heung Yuen Wai Boundary Control Point) Order comes into operation.

### 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 sections 3 and 4.

### 3. Section 1A amended (interpretation)

Section 1A—

#### Add in alphabetical order

“*Heung Yuen Wai Passenger Terminal Building* (香園圍旅檢大樓) means the part of the Passenger Terminal Building located at Heung Yuen Wai Boundary Control Point that is declared to be a closed area under section 3 of the Closed Area (Heung Yuen Wai Boundary Control Point) Order;”.

### 4. Schedule amended

The Schedule, Part 1—

#### Add

“2G. The following persons— At

(a) the drivers of road any The driver—

- |   |  |
|---|--|
| <p>vehicles to or from time the Mainland of China, leaving or entering Hong Kong via Heung Yuen Wai Boundary Control Point;</p> <p>(b) the cross-boundary passengers on road vehicles to or from the Mainland of China, leaving or entering Hong Kong via Heung Yuen Wai Boundary Control Point;</p> <p>(c) the persons who leave or enter Hong Kong via the Heung Yuen Wai Passenger Terminal Building (other than the passengers described in paragraph (b)).</p> | <p>(a) must not leave the immediate vicinity of the vehicle; and</p> <p>(b) must leave the Frontier Closed Area without undue delay.</p> <p>The passenger—</p> <p>(a) must not leave the immediate vicinity of the vehicle; and</p> <p>(b) must leave the Frontier Closed Area without undue delay.</p> <p>The person must leave the Frontier Closed Area without undue delay.”.</p> |
|---|--|



Commissioner of Police

2018 - 09 - 26

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**Explanatory Note**

As the cross-boundary bridges leading to Heung Yuen Wai Boundary Control Point (*Control Point*) are located within the frontier closed area, this Notice amends the Schedule to the Frontier Closed Area (Permission to Enter) Notice (Cap. 245 sub. leg. H) to grant permission to persons who leave or enter Hong Kong via the Control Point to enter or leave that area.



**Immigration (Places of Detention) (Amendment) (No. 2)  
Order 2018**

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

**1. Commencement**

This Order comes into operation on the day on which the Closed Area (Heung Yuen Wai Boundary Control Point) Order comes into operation.

**2. Immigration (Places of Detention) Order amended**

The Immigration (Places of Detention) Order (Cap. 115 sub. leg. B) is amended as set out in section 3.

**3. Schedule 3 amended**

Schedule 3—

**Add**

“32. The area within the Passenger Terminal Building at Heung Yuen Wai Boundary Control Point that is set aside as detention quarters for use by the Immigration Department.”.



Secretary for Security

26 SEPTEMBER 2018

**Explanatory Note**

An area within the Passenger Terminal Building at Heung Yuen Wai Boundary Control Point is to be set aside as detention quarters for use by the Immigration Department.

2. 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)  
(No. 2) Order 2018**

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

**1. Commencement**

This Order comes into operation on the day on which the Closed Area (Heung Yuen Wai Boundary Control Point) Order comes into operation.

**2. Immigration Service (Designated Places) Order amended**

The Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) is amended as set out in section 3.

**3. Schedule amended**

The Schedule—

**Add**

“18. The area within the Passenger Terminal Building at Heung Yuen Wai Boundary Control Point that is set aside as detention quarters for use by the Immigration Department.”



Secretary for Security

26 SEPTEMBER 2018

### **Explanatory Note**

An area within the Passenger Terminal Building at Heung Yuen Wai Boundary Control Point is to be set aside as detention quarters for use by the Immigration Department.

2. This Order amends the Immigration Service (Designated Places) Order (Cap. 331 sub. leg. B) so that the area becomes a designated place for the purposes of section 13A of the Immigration Service Ordinance (Cap. 331).