

立法會

Legislative Council

LC Paper No. CB(2)973/20-21

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by the Administration)

Ref : CB2/PL/SE

Panel on Security

Minutes of meeting
held on Tuesday, 2 March 2021, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

**Members
present**

: Hon CHAN Hak-kan, BBS, JP (Chairman)
Hon YUNG Hoi-yan, JP (Deputy Chairman)
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, BBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP
Hon CHAN Chun-ying, JP
Hon CHEUNG Kwok-kwan, JP
Dr Hon CHENG Chung-tai

**Members
absent**

: Hon Frankie YICK Chi-ming, SBS, JP
Hon MA Fung-kwok, GBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Tony TSE Wai-chuen, BBS, JP

Public Officers attending : Item III

Mr John LEE Ka-chiu, SBS, PDSM, PMSM, JP
Secretary for Security

Miss Hinny LAM Shuk-yee, JP
Deputy Secretary for Security (3)

Item IV

Mr Sonny AU Chi-kwong, PDSM, PMSM, JP
Under Secretary for Security

Ms Joceline CHUI Shih-yen
Principal Assistant Secretary (Security) E

Mr Crusade YAU Siu-kei
Chief Superintendent of Police (Support Branch)
(Support Wing)

Ms Eve CHUNG Wing-man
Chief Superintendent of Police (Crime Headquarters)
(Crime Wing)

Ms Louise NG Wing-yin
Superintendent of Police (Forensic Firearms Exam Division)

Ms Icarus IP Ching-man
Superintendent of Police (Licensing Office)

Item V

Mr Sonny AU Chi-kwong, PDSM, PMSM, JP
Under Secretary for Security

Mr Kevin LAI Ming-fai
Principal Assistant Secretary (Narcotics) 1
Security Bureau

Ms Ida NG Kit-ching
Assistant Commissioner (Boundary and Ports)
Customs and Excise Department

Ms LAI Sau-ieng
Head of Airport Command
Customs and Excise Department

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 1

Staff in attendance : Mr Timothy TSO
Senior Assistant Legal Adviser 1

Ms Priscilla LAU
Council Secretary (2) 1

Miss Lulu YEUNG
Clerical Assistant (2) 1

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I. Information paper issued since the last meeting
(LC Paper No. CB(2)797/20-21(01))

Members noted that an Administration's information paper on "An outline of the topics in the fourth report of the Hong Kong Special Administrative Region under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" had been issued since the last meeting.

2. The Chairman said that in line with the established practice, the Administration was launching a public consultation exercise on the outline of the topics in the fourth report. The Administration would then prepare the report and brief the Panel on Security in due course. Members noted.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)814/20-21(01) and (02))

Regular meeting in April 2021

3. Members agreed that the following items would be discussed at the next regular meeting on 9 April 2021 at 10:45 am:

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- (a) Proposed amendments to the Prison Rules to amend the provisions concerning the procurement or receipt of private food and drinks by prisoners awaiting trial;
- (b) Strengthening the public's emergency preparedness and evacuation awareness, and promoting a wider use of stand-alone fire detectors; and
- (c) Proposed amendments to the First Schedule to the Dangerous Drugs Ordinance and Schedule 2 to the Control of Chemicals Ordinance.

(Post-meeting note: At the request of the Administration and with the concurrence of the Chairman, the agenda item in paragraph 3(a) above was revised to Chai Wan Government Complex and Vehicle Depot. Relevant notice of meeting and the agenda were issued to members vide LC Paper No. CB(2)863/20-21 on 10 March 2021.)

III. Implementation of co-location arrangement at the redeveloped Huanggang Port in Shenzhen

(LC Paper Nos. CB(2)814/20-21(03) and (04))

4. Secretary for Security ("S for S") briefed members on the progress of implementing co-location arrangement at the redeveloped Huanggang Port being taken forward by the Hong Kong Special Administrative Region ("HKSAR") and the Shenzhen Municipal Government. S for S added that apart from gauging the Panel's views, he would give notice to move a Government motion at the Council meeting of 24 March 2021 to solicit the Legislative Council ("LegCo")'s support for implementing the co-location arrangement at the redeveloped Huanggang Port.

5. Members noted an information note entitled "Implementation of co-location arrangement at the redeveloped Huanggang Port in Shenzhen" prepared by the LegCo Secretariat.

Redevelopment of the Huanggang Port and implementation of co-location arrangement

6. Dr Priscilla LEUNG expressed support for the implementation of co-location arrangement at the redeveloped Huanggang Port. Noting

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that the Shenzhen Municipal Government had agreed to bear the design and construction costs for the entire project, she enquired about the handling if there were cost overruns and the estimated costs required to be borne by the HKSAR Government. Dr CHENG Chung-tai asked about the funding allocation of the entire project.

7. S for S replied that, having regard to the funding arrangement adopted for the construction of the Express Rail Link ("XRL") West Kowloon Station, the Shenzhen Municipal Government agreed to bear the design and construction costs for the Huanggang Port building, including any cost overruns. Following also the arrangement of the XRL West Kowloon Station, the HKSAR Government would pay the Shenzhen Municipal Government a nominal rent of RMB1,000 per year for the use of the Hong Kong Port Area ("HKPA") at the new Huanggang Port in future. Meanwhile, the HKSAR Government would bear the costs of other capital non-work items for HKPA, such as furniture, equipment and information systems for the operation at the control point, and would seek funding from LegCo according to the established procedures as appropriate.

8. Mr Steven HO was of the view that the new Huanggang Port should be built to cope with future needs. He sought details about the design and facilities therein. S for S advised that under the preliminary design, the new Huanggang Port would be a nine-storey building with an overall usable area of about 400 000 square metres. There would be five storeys above ground floor at which vehicle clearance facilities and public transport interchanges would be located at the first to third floors, while passenger clearance would be designated at the fourth and fifth floors. In response to Mr HO's suggestion of introducing convenient measures to take care of elderly and other persons in need, S for S assured members that, as in other control points, the needs of travellers in particular the elderly and other needy persons would be taken into account in the design of the new Huanggang Port. For example, sufficient elevators would be equipped to facilitate accessibility of elderly and other needy persons. In addition, the HKSAR Government would explore further ways to bring greater travel convenience to persons in need.

9. Concerning the progress of the liaison with the Shenzhen Municipal Government, S for S said that to press ahead with the redevelopment of the Huanggang Port, a steering group co-chaired by the Executive Vice-Mayor of the Shenzhen Municipal Government and

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S for S was formed to oversee relevant works and progress. He welcomed members' views on the project and said that he was willing to follow up relevant matters at the steering group, if considered feasible and appropriate. Mr Steven HO hoped that the HKSAR Government would continue discussing with the Shenzhen Municipal Government in a proactive manner, and report to LegCo when necessary.

10. For the sake of convenience and to upgrade the aged facilities at the Huanggang/Lok Ma Chau ("HG/LMC") Control Point, the Chairman expressed support for the implementation of co-location arrangement at the redeveloped Huanggang Port. Given that some facilitation measures had been in place at Lo Wu Control Point and the Shenzhen Bay ("SZB") Port for cross-boundary students ("CBS"), he asked whether similar arrangements would be adopted at the new Huanggang Port. S for S confirmed that the HKSAR Government and the Shenzhen Municipal Government would, as in the cases of other control points, consider facilitation measures for CBS. Ms Elizabeth QUAT hoped that different types of clearance, including facial recognition technology, would be adopted at the new Huanggang port. S for S replied that the Government was open to any novel technologies which could facilitate clearance process. While introducing any new immigration clearance technologies, the Government would ensure that travellers would have the choice of using the traditional ways of clearance if they so wish, e.g. via the traditional counters and e-channels.

11. In response to Dr CHENG Chung-tai's enquiry about the jurisdiction of the new Huanggang Port, S for S pointed out that the HKSAR Government would exercise full jurisdiction in HKPA and carry out customs, immigration and quarantine ("CIQ") clearance inspections in accordance with the laws of Hong Kong. For such purpose, the HKSAR Government would in due course introduce local legislation to extend the laws of Hong Kong to HKPA at the new Huanggang Port.

12. Ms Alice MAK asked about the relevant legislative timetable. S for S said that it was the target of the two Governments to complete the main works of the new Huanggang Port by end-2023 the earliest, followed by the interior works and installation of computer systems and equipment by the two sides at their respective port areas. With reference to the implementation of co-location arrangement at SZB Port and XRL West Kowloon Station, the Shenzhen Municipal Government and the HKSAR Government would formally seek approval of the Standing Committee of the National People's Congress for the

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implementation of co-location arrangement and the set-up of the Hong Kong Port Area at the new Huanggang Port when the construction of the new port building was near completion and all specific details of HKPA were available. The HKSAR Government would then proceed with the introduction of local legislation to provide the legal basis for the co-location arrangement.

13. Dr CHENG Chung-tai was concerned about the information management in respect of CIQ clearance inspections. S for S pointed out that CIQ clearance arrangements at the new Huanggang Port would be similar to that of the SZB Port at present, i.e. Hong Kong CIQ clearance would be performed in HKPA by Hong Kong law enforcement agencies ("LEAs") in accordance with the Hong Kong laws. As in the case of other control points, passenger information would be kept at HKPA.

Transport issues relating to the new Huanggang Port

14. The Deputy Chairman expressed support for the implementation of co-location arrangement at the redeveloped Huanggang Port and hoped that the project would be implemented promptly. She enquired about the expected number of passengers and vehicles using the new port. S for S said that about 90 000 to 100 000 passengers were anticipated to pass through the new Huanggang Port every day owing to its convenience. However, the number of vehicles passing through the port was expected to drop to about 10 000 to 12 000 as cross-boundary goods vehicles currently using the HG/LMC Control Point would be diverted to other boundary control points ("BCPs") under the "East in East out, West in West out" strategy.

15. While expressing support for the implementation of co-location arrangement at the redeveloped Huanggang Port and noting that HG/LMC Control Point should be mainly used for passenger traffic in the future, Ms Alice MAK appealed to the Administration's understanding of the impact on the cross-boundary goods vehicle trade and urged the Administration to communicate with them. S for S said that he noted the concern and the practical needs of the cross-boundary goods vehicle trade. Currently, as a measure for supporting the future cessation of cargo clearance at the HG/LMC Control Point, the SZB Port commenced 24-hour cargo clearance service since December 2020. To ensure no disruption to the operation of the trade, it was planned that the cargo clearance service of the Huanggang Port would be ceased only after the

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commencement of 24-hour operation at the Liangtang/Heung Yuen Wai ("LT/HYW") Control Point and smooth cargo clearance operation at both SZB and LT/HYW Control Point. S for S undertook to convey to the Transport and Housing Bureau ("THB") members' views on the implementation of the "East in East out, West in West out" strategy.

16. Mr YIU Si-wing was concerned about the public transport services to the new Huanggang Port and the implementation of 24-hour passenger clearance service at other BCPs. The Chairman asked whether short-haul cross-boundary coach service between Tai Po and the new Huanggang Port would be considered.

17. S for S said that there was no plan to change the existing 24-hour passenger clearance service hour at HG/LMC Control Point after its redevelopment. Making reference to the current operation at the SZB Port, it was anticipated that passengers would usually take public transport to the new Huanggang Port. S for S undertook to convey to THB the suggestion of providing public transport between Tai Po and the new Huanggang Port. He further said that THB would make an overall consideration about the transport services to the new port after taking into account the transport demand and facilities requirement.

18. Noting that the SZB Port was currently not equipped with parking spaces for tourist coaches, Mr YIU Si-wing asked whether consideration would be given to setting up a carpark at the new Huanggang Port specifically for tourist coaches. S for S pointed out that under the preliminary plan, approximately 80% of the area located at the second floor of the new Huanggang Port building would be allocated to HKSAR as the public transport interchange. Mr YIU hoped that the two governments would, having regard to the current operational experience at the SZB Port, formulate a better plan and provide a greater travel convenience for cross-boundary passengers. S for S undertook to convey Mr YIU's opinions to the relevant policy bureaux within the HKSAR Government and to the Shenzhen Municipal Government for consideration / follow-up.

19. Mr Holden CHOW and Ms Elizabeth QUAT expressed support for the implementation of co-location arrangement at the redeveloped Huanggang Port and said that many people welcomed the project. Mr CHOW noted that the new Huanggang Port would be linked to Futian Port / Lok Ma Chau Spur Line Control Point by underground pedestrian access, and asked whether consideration would be given to setting up a

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direct railway connection thereat. S for S said that as far as he knew, THB had commissioned the MTR Corporation Limited to conduct a feasibility study regarding the development of the Northern Link, including, among others, the need of a direct railway connection to the new Huanggang Port. Ms QUAT called on the Administration to take active steps to tie in with the redevelopment of the new port, so as to facilitate smooth and efficient passenger flow. S for S thanked members for their views, and undertook to convey their views to THB and the Development Bureau ("DevB").

Use of the vacated land upon redevelopment

20. The Chairman and the Deputy Chairman urged the Administration to be proactive in studying the use and development of the 20 hectares of land released from the current LMC Control Point, with a view to effectively boosting local economy and bringing prosperity to the nearby area. S for S said that DevB and THB would draw up the overall development plan having regard to members' views.

21. Mr Holden CHOW and Ms Elizabeth QUAT held the view that the use of the vacated land could be considered to bring a synergy effect with the Lok Ma Chau Loop ("the Loop") nearby. Dr Priscilla LEUNG enquired about the upcoming planning and development of the Loop. Ms Elizabeth QUAT believed that better ancillary facilities would attract more scientific talents to work in the Loop. S for S noted members' views that vacated land might be used to support the development of the Loop and to create synergy effect. He undertook to convey members' views to DevB and the Information and Technology Bureau for consideration.

Other issues

22. Dr Junius HO expressed support for the implementation of co-location arrangement at the redeveloped Huanggang Port. To provide greater convenience and flexibility for the cross-boundary goods vehicular traffic, he asked whether consideration would be given to, apart from the "East in East out, West in West out" strategy, permitting them to opt for using other BCPs in the long run. S for S drew members' attention to the Shenzhen Municipal Government's plan to differentiate the functions of different BCPs to fulfil future development needs. He noted Dr HO's view and would convey Dr HO's suggestion to THB and DevB as appropriate.

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23. The Chairman concluded that members had no objection to the implementation of co-location arrangement at the redeveloped Huanggang Port.

IV. Proposed amendments to the Firearms and Ammunition (Declaration of Arms) Regulations
(LC Paper No. CB(2)814/20-21(05))

24. Under Secretary for Security ("US for S") briefed members on the Government's proposal to amend the Firearms and Ammunition (Declaration of Arms) Regulations (Cap. 238D) for the purpose of providing a clearer definition of genuine firearm component parts. He further said that a four-week public consultation exercise had been kicked off. SB would consolidate the views received and table the proposed amendments by way of subsidiary legislation at LegCo.

Existing practice in handling genuine firearm component parts

25. In the light of the significant increase in smuggling cases involving suspected genuine firearms and their component parts in 2020, Mr CHAN Kin-por expressed support for the proposal to amend Cap. 238D to plug the legal loophole. He queried how LEAs would, before the proposed legislative amendments came into effect, deal with the trend of shipping genuine firearm component parts from overseas to Hong Kong through parcel forwarding.

26. US for S advised that the Customs and Excise Department ("C&ED") had been adopting a risk-based and intelligence-led mode of operation and conducted checks through air, land and sea channels. Besides, C&ED had deployed advanced equipment at various BCPs, and provided necessary training to relevant officers to enhance detection capabilities. While an increasing trend of smuggling in postal packets and express parcels by air was observed, US for S stressed that the land and sea channels should not be neglected as well. Separately, the Police had been effectively conducting intelligence-led operations to combat the use of arms. C&ED and the Police had been working closely and a comprehensive mechanism regarding the handling procedures when suspected genuine firearms and component parts were seized at BCPs was established. In the event that extra resources were required, SB would fully support the two departments. Mr CHAN hoped that the proposed amendments would be submitted for LegCo's scrutiny as soon as possible after the public consultation exercise.

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27. Dr Priscilla LEUNG expressed concern about the existing practice in importing genuine firearm component parts proposed to be included under the legislative amendments. US for S said that in accordance with the Import and Export Ordinance (Cap. 60), an import licence issued by the Trade and Industry Department, as well as an applicable licence issued by the Police Licensing Office would be required before importing strategic commodities into Hong Kong. While C&ED had adopted a stringent control over firearms and their component parts, a minority of component parts might slip through the system. There was a legal loophole for criminals to possess firearm component parts, which could be assembled into fully functional genuine firearms for illegal purposes.

28. The Deputy Chairman noted from the Administration's paper that the Police had seized 30 pieces of genuine firearms in 2019 alone, which accounted for almost half of the total number of genuine firearms seized by the Police from 2016 to 2020. She said that the situation was worrying and asked whether it was relating to syndicated criminals. US for S said that although syndicated criminals were not identified, it was observed that a small group of people was involved in shipping genuine firearm component parts from overseas to Hong Kong through parcel forwarding and then assembled them into fully functional firearms in Hong Kong or passed to other criminals.

The proposed legislative amendments

29. While expressing support for the proposal to amend Cap. 238D to plug the legal loophole, the Deputy Chairman was concerned that the proposed amendments appeared to narrow down the definition of "firearm component parts". Mr YIU Si-wing noted that the number of smuggling cases involving suspected genuine firearms and their component parts detected by C&ED in 2020 had significantly increased, while the number of genuine firearms seized by the Police during the same period had dropped, and said that the situation in 2020 was totally opposite to that in 2018 and 2019. He asked whether a causal relationship existed because of C&ED's enhanced experience and capability in detecting firearm component parts, such that less genuine firearms were seized.

30. US for S affirmed that a causal relationship existed. Back in 2019, 30 pieces of genuine firearms were seized by the Police. C&ED had noticed the increasing trend of smuggling component parts of genuine firearms into Hong Kong in separate shipments or postal packets,

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and had then deployed extra manpower for detecting relevant items through such channels. Together with the experience and expertise of C&ED staff members, a surge in smuggling cases involving suspected genuine firearms and their component parts were detected in 2020, demonstrating the effectiveness in C&ED's approach and strategy. Nevertheless, it could not be ruled out that a minority of items could not be detected. Under the existing provisions, even if components parts proved to be fit for genuine firearms were located, to prove an offence under section 13 or section 14 of the Firearms and Ammunition Ordinance (Cap. 238) ("FAO"), the prosecution still had to prove to the court that such component parts were used or intended to be used for the discharge of a missile from arms. The practical difficulties in proving this element of the offence had created a loophole which criminals could exploit. As such, it was now proposed to amend Cap. 238D to list out the essential firearm (i.e. genuine firearm) component parts as "arms" under FAO, such that a person who possessed or dealt in such component parts would commit an offence if the items were capable of being used as a part of a firearm and the person concerned was aware of such. US for S pointed out that the amendments sought to provide a clearer and more concrete description of the component parts covered by "arms", and appealed to members' support for the Government's proposal.

31. In response to Dr Priscilla LEUNG's enquiry about the defence of the proposed legislative amendments, US for S replied that the prosecution would have to prove, among others, that the person concerned was aware that the item was capable of being used as a part of a firearm.

32. While expressing support for the proposal to amend Cap. 238D, Dr Junius HO considered that the Administration's paper was not clear in reflecting the connection between the proposed amendments to expand the definition of "arms" and the objective to overcome the practical difficulties in proving "a component part used or intended to be used for the discharge of a missile". He also held the view that the term "arms" ("槍械"), instead of "genuine firearms" ("真槍"), should be used in consultation question 1. US for S explained that under FAO, "arms" includes "firearms", "harpoon", "spear gun", etc. With the proposed amendments, the prosecution could resort to paragraph (g) of the definition of "arms" under section 2 of FAO for the purpose of proving the firearm component parts as specified in the Schedule constituted "arms", without having the need to rely on paragraph (h) of the definition of "arms" which required the proof of the component parts being "used or

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intended to be used for the discharge of a missile". In response to Mr Holden CHOW's suggestion of strict liability, US for S explained that FAO had provided for certain presumptions in relation to the possession of arms and ammunitions and the knowledge of the nature of those items. It would be for the defendant to raise an issue on the matter in order to rebut the presumption. US for S believed that relevant work and enforcement actions would be conducted more effectively upon the passage of the amendment proposals.

33. Ms Elizabeth QUAT expressed strong support for the proposal to amend Cap. 238D and hoped that it would come into effect as soon as possible to plug the legal loophole. She was concerned as to the proposed amendments did not cover any adjustment to the penalty level under the existing FAO, as well as whether the amendments could provide a deterrent effect to overseas syndicates assisting in smuggling genuine firearms and their component parts into Hong Kong. Mr Holden CHOW was concerned about the challenges faced by LEAs in investigating overseas syndicates concerned.

34. US for S said that the penalty of imprisonment for 14 years and a fine of \$100,000 under the existing FAO were considered sufficient to provide a deterrent effect against possession or dealing in any arms or ammunition without a license. He further pointed out that any person who aided, abetted or conspired with another person to commit an offence in Hong Kong might have contravened the Crimes Ordinance (Cap. 200) and the Criminal Procedure Ordinance (Cap. 221), regardless of whether the former was in Hong Kong or not. To investigate such crime, the Police and C&ED had been, as always, working closely with international law enforcement organizations such as the International Criminal Police Organization or the World Customs Organization. Upon the passage of the proposed legislative amendments, the Government aimed to deter illegal shipping of component parts of genuine firearms into Hong Kong.

35. With rapid technology development, the Chairman expressed concern as to whether 3-D printed firearms could be regulated by the proposed legislative amendments. US for S pointed out that the proposed amendments were technology neutral. Any component parts as specified in Cap. 238D, if capable of being used as a part of a firearm as confirmed by firearm experts, would come under the control of the proposed legislative amendments.

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36. Mr YIU Si-wing was concerned about the comparison on the control of genuine firearm component parts between Hong Kong and that of overseas jurisdictions, as well as the proposed 90-day grace period before the legislative amendments took effect. Mr Holden CHOW noted that the number of smuggling cases involving suspected genuine firearms and their component parts in 2020 far exceeded the total number of such cases between 2016 and 2019. He expressed support for the proposal to amend Cap. 238D and urged the Administration to pursue it without delay. He further asked whether the 90-day grace period was sufficient for those affected.

37. US for S pointed out that some overseas jurisdictions, such as Australia, Canada and the United Kingdom, specified certain firearm component parts in their legislation. The Government had adopted a similar approach in the proposed legislative amendments. As the public consultation exercise had commenced for two weeks and there was no enquiry received from relevant parties/individuals so far on the grace period, it was believed that the 90-day grace period was sufficient. For those really affected, the proposed grace period should be sufficient for them to dispose of the component parts or apply for a licence. US for S highlighted that component parts purely for model guns were not affected by the proposed legislative amendments.

Other issues

38. Mr Holden CHOW asked whether extra manpower and resources would be allocated for intelligence gathering upon the passage of the proposed legislative amendments. US for S stressed that the proposed legislative amendments would undoubtedly assist in C&ED's enforcement work. Upon passage, C&ED would enhance the training provided to relevant officers to strengthen their capabilities in conducting intelligence gathering and analysis. Besides, C&ED was exploring the adoption of latest advanced technology and equipment to assist in the screening of suspicious objects at BCPs, as well as data analysis to further increase C&ED's risk profiling capability.

39. The Chairman was concerned about the four-fold increase of smuggling cases involving suspected genuine firearms and their component parts (over 550 genuine firearm component parts) in 2020, and a total of 36 genuine firearms seized by the Police between 2019 and 2020. He asked about the investigation progress and whether a connection with "black violence" was identified. US for S said that as

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far as he knew, at least five cases involving genuine firearms and their component parts were related to the "black violence" incidents between 2019 and 2020.

[The Deputy Chairman took the chair at this juncture.]

40. In response to Dr Junius HO's enquiry about the regulation of crossbow, US for S pointed out that a crossbow with a draw weight of more than six kilograms had been declared as "arms" under the Schedule to Cap. 238D.

V. Key work of Customs all-front enforcement against smuggling
(LC Paper No. CB(2)814/20-21(06))

41. US for S briefed members on the Government's approach to combating smuggling, overview of the latest smuggling situation in Hong Kong and the key enforcement work of C&ED against smuggling.

Smuggling trend and relevant figures

42. Mr YIU Si-wing was concerned about the substantial increase in the value of goods and articles seized at the cargo channels in 2020. He asked whether the increase was attributable to the rise of smuggling of larger hauls of goods through the cargo channels and the drop in passenger passage at BCPs owing to the outbreak of the COVID-19 pandemic. Mr Holden CHOW commended C&ED's work against smuggling over the years. He was concerned about the four-fold increase of cigarettes smuggling cases detected through the cargo channel in 2020.

43. US for S and Assistant Commissioner (Boundary and Ports), C&ED ("AC(BP)/C&ED") explained that to minimize the chance of being detected by C&ED, smugglers used to make use of passenger channels to smuggle smaller amounts of goods with "ants moving home" tactics. With the outbreak of the COVID-19 pandemic and hence the significant drop in the number of travellers, smugglers shifted from using passenger channels to air and sea cargo shipments to smuggle larger hauls of goods. C&ED had correspondingly strengthened its enforcement efforts against illicit air and sea cargoes, flexibly deployed manpower to reinforce customs clearance at different channels, and enhanced intelligence exchange with regional and international LEAs. This

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resulted in an upsurge of smuggling cases detected through air and sea cargo channels. US for S further said that while the seizure value was relevant to the demand of smuggled goods, C&ED would closely monitor the changing modes of smuggling and take appropriate enforcement actions in response. With innovative and flexible enforcement strategy, C&ED would continue to tackle smuggling effectively.

44. Dr Junius HO commended C&ED's work against smuggling over the years. He sought information about the prosecution rate in respect of smuggling cases through passenger channels. AC(BP)/C&ED said that majority of the smuggling cases through passenger channels involved passengers failing to declare dutiable goods such as tobacco and liquor in excess of the duty-free concessions, most of which were settled with the payment of fine instead of prosecution. Dr HO called for lenience in enforcement when handling inadvertent cases involving inadvertent passengers.

[The Deputy Chairman directed that the meeting would be extended by 15 minutes.]

Use of advanced technology to combat smuggling

45. Ms Elizabeth QUAT commended C&ED's work against smuggling over the years and expressed support for the recently launched youth "Customs YES" programme to strengthen the law-abiding awareness of young people and foster their positive values. She was also glad to learn about the Smarts Customs Blueprint and the procurement of artificial intelligence inspection devices for X-ray checkers at BCPs to assist in the screening of suspicious objects. Besides, she was concerned about the rising trend of smuggling of endangered species, with the total seizure values of \$151 million in 2020, which marked a 13.7% rise compared with 2019. She said that she would propose a Member's Bill which sought to amend the Organized and Serious Crimes Ordinance (Cap. 455) ("OSCO") to strengthen the enforcement against illegal wildlife trade, and enquired about C&ED's strategy in combating such crime.

46. The Deputy Chairman commended C&ED's work against smuggling over the years. She was concerned about the significant increase in the seizure of smuggled dangerous drugs in 2020, and asked about C&ED's strategy in combating smuggling of dangerous drugs with the use of advanced technology and enhancing intelligence analysis.

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47. US for S said that the scope of the Members' Bill proposed by Ms QUAT was under the policy purview of the Environment Bureau. SB, as the housekeeping bureau of OSCO, had an open mind towards the proposal. AC(BP)/C&ED supplemented that C&ED had all along attached great importance to combating smuggling of endangered species. C&ED would also keep monitoring the international trend of smuggling of relevant items and continue to work closely with the Agriculture, Fisheries and Conservation Department to exchange intelligence and conduct joint operations.

48. AC(BP)/C&ED further advised that to tackle smuggling, C&ED would continue to adopt an effective risk-based and intelligence-led mode of operation and conduct checks on passengers, cargoes and cross-boundary conveyances through air, land and sea channels. Advanced equipment would continue to be deployed to effectively detect different contrabands. C&ED had recently procured artificial intelligence inspection devices for existing X-ray checkers, and was working to procure computer tomography scanners, to assist in more precise detection of suspicious items. C&ED was also actively exploring the adoption of latest technology in big data analytics to further increase risk profiling capability. Ms Elizabeth QUAT hoped that C&ED would adopt a wider use of advanced technology to combat smuggling, in particular endangered species, in future.

Other issues

49. The Deputy Chairman enquired about the development of the Customs Canine Force and the resources allocated thereto. AC(BP)/C&ED said that in order to ensure a sustainable supply of canines, C&ED had been collaborating with Mainland and regional counterparts, and planned to send officers to attend detector dog training outside Hong Kong when the COVID-19 situation improved. Concurrently, C&ED had also launched the Customs Canine Breeding Programme with the first batch of six self-bred puppies born in 2020 and now about to be ready to perform duties after receiving local training. In addition, C&ED would continue to cooperate with other local LEAs in joint breeding and training of canines.

50. There being no other business, the meeting ended at 4:44 pm.