

**For discussion  
October 2021**

## **Legislative Council Panel on Security**

### **2021 Policy Address Policy Initiatives of Security Bureau**

This paper elaborates on the Security Bureau (SB)'s major initiatives in the 2021 Policy Address and Supplement.

#### **Safeguarding National Security**

##### **Hong Kong National Security Law**

2. Since the implementation of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Hong Kong National Security Law), the Hong Kong Special Administrative Region (HKSAR) Government proactively took law enforcement action against persons and organisations suspected of endangering national security, stopping chaos and restoring order in Hong Kong. Violent acts have substantially reduced, and the law and order situation has improved. The relevant law enforcement actions have already successfully cracked down on a majority of illegal activities severely endangering national security. We will carry on with our efforts to continue to prevent, suppress and impose punishment for acts and activities endangering national security, and at the same time enhance Hong Kong people's understanding of national security and law-abiding awareness through different channels.

##### **Combating Local Terrorism**

3. Since the implementation of the Hong Kong National Security Law, stability in the society as a whole has been restored, but there have still been a small number of extremists carrying out violent assaults and planning and committing terrorist activities, attempting to cause deaths and bodily injuries and disrupt public peace. It is evident that domestic terrorism continues to be a critical security hazard of Hong Kong. Police will continue to step up its intelligence collection and enforcement work, and will strive to bring extremists to justice and take enforcement actions against acts that spread hatred, advocate violence, and incite and encourage terrorism. The HKSAR Government will strengthen counter-terrorism

preparedness and response capability, and enhance protection of critical infrastructure by conducting training and exercises, and leveraging new technologies such as artificial intelligence and big data. In addition, we will continue to improve the legal framework, and step up public education and publicity on counter-terrorism with a view to maintaining a safe and stable living environment.

### **Legislation on Article 23 of the Basic Law**

4. The HKSAR Government is also taking forward proactively the enactment of local legislation to implement Article 23 of the Basic Law in Hong Kong, including making reference to past studies and information, the implementation experience of the Hong Kong National Security Law and relevant court verdicts, relevant laws of our country and other jurisdictions and their implementation experience of such laws, as well as taking into account the actual circumstances in Hong Kong in recent years, with a view to drawing up effective and pragmatic proposals and provisions, and formulating suitable publicity programmes. We are striving to push forward the work concerned as soon as practicable, with a view to taking forward the relevant consultation and legislative exercise in the next term of the Legislative Council.

### **Strengthening Cyber and Data Security**

5. With the wider application of information technology, the strengthening of cyber security and data security play an increasingly important part in upholding national security. In this regard, SB will formulate guidelines to assist Bureaux and Departments in assessing and containing the risks relating to cyber security, data security and supply chain security within their respective portfolios for the sake of safeguarding national security.

6. Moreover, a safe business environment is crucial to economic development, prosperity and stability. Critical information infrastructures (CIIs) are of great significance to the normal operation of the society. If their information systems, information networks or computer systems are disrupted or destroyed, the normal operation of the major infrastructure will be affected, causing serious harm to the economy, people's livelihood, public safety, and even national security. The increase in cyber attack in recent years has brought significant challenges to the cybersecurity of CIIs around the world. Along with the direction in various countries and regions, the HKSAR Government will promote the establishment of a robust preventive management system by the CIIs to ensure the safe

operation of relevant information systems and networks and enhance public safety.

7. In addition to best practice requirements, the HKSAR Government will make preparatory work for the enactment of cybersecurity legislation, with a view to strengthening the cybersecurity of CIIs in Hong Kong through clear delineation of cybersecurity obligations for the operators. When formulating specific proposals for the cybersecurity legislation, we will engage with the relevant sectors and conduct public consultation.

### **Enhancing the Law-abiding Awareness of Young People**

8. Under the influence of the serious violence a while ago, the overall law-abiding awareness of our society, particularly among young people, has weakened, to the extent that Hong Kong has seen an increase in the number of young offenders and the severity of crimes. The six disciplined services and the two auxiliary services under SB will enhance their youth engagement work and establish or expand their work in youth uniformed groups, with a view to developing the positive thinking, law-abiding awareness, a sense of discipline and team spirit of young people, as well as helping them understand our country and enhance their sense of national identity.

### **Rehabilitation of Persons in Custody**

9. The Correctional Services Department (CSD) will make enhanced efforts based on the principles of “correction” and “education”. Apart from ensuring that persons in custody (PICs) strictly observe the institutional discipline, CSD will formulate targeted rehabilitation programmes, including implementing the “Walk with YOUth Programme” to enhance the law-abiding awareness of young PICs; planning to establish a Youth Lab, and implementing educational initiatives such as “Understanding History is the Beginning of Knowledge” to strengthen the values, moral and civic education for young offenders, and to enable them to have a better understanding of the Basic Law and the National Security Law. Besides, a “Change Lab” will also be set up to provide psychological counselling for young rehabilitated offenders under supervision after release.

10. In addition, CSD will step up efforts to unite all sectors of the community to provide suitable support to PICs on various rehabilitation fronts through inter-departmental and cross-sectoral collaboration, including inviting the business sector and training bodies to provide job

matching service, suitable job openings, and opportunities for vocational training and internship.

### **Enhancing handling capacity of control points and providing clearance facilitation**

11. The passenger and cargo flows between Hong Kong and Shenzhen have been on persistent rise in recent years. With the development of the Guangdong-Hong Kong-Macao Greater Bay Area and our further integration into the national development plan, passenger and cargo flows at the various land boundary control points are expected to increase further. We will, in collaboration with the Shenzhen Municipal Government, continue to strive to enhance the handling capacity of the control points and provide clearance facilitation. To meet the service demand for cross-boundary flows during small hours, the Shenzhen and Hong Kong governments have extended the operating hours of cargo clearance at the Shenzhen Bay Port to 24-hour since 10 December 2020. As for passenger clearance service, subject to the development of the COVID-19 epidemic, both sides will extend the service to 24-hour operation as early as practicable. Separately, the cargo clearance facilities of the Liantang / Heung Yuen Wai Boundary Control Point commenced operation on 26 August 2020, which greatly shortens the travelling time between Hong Kong, Shenzhen and eastern Guangdong, and is conducive to further promoting the co-operation and development of Hong Kong, Shenzhen, eastern Guangdong and neighbouring provinces. The two governments will commission the passenger clearance facilities in due course taking into account the epidemic situation.

12. Moreover, since the announcement in the 2020 Policy Address that the HKSAR Government would explore with the Shenzhen Municipal Government on the implementation of co-location arrangement at the new Huanggang Port situated in Shenzhen, the two governments have formed a high-level steering committee to oversee the relevant works and reached consensus on the principle issues of the project. On 24 March 2021, the HKSAR Government moved a government motion at the Legislative Council to continue to collaborate with the Shenzhen Municipal Government to press ahead the redevelopment of the Huanggang Port. The motion was supported by all members present. Currently, Hong Kong and Shenzhen have initiated discussion on the design of the Hong Kong Port Area and implementation of a new clearance mode of “collaborative inspection and joint clearance” at the new Huanggang Port. The two governments will continue to collaborate closely on the detailed design, with a view to commencing the construction of the new Huanggang Port building as early as practicable.

### **Safe Greater Bay Area**

13. The HKSAR Government will work together with the governments of Macao and the nine municipalities in Guangdong Province in the Greater Bay Area (GBA) based on the existing coordination foundation, with a view to strengthening the cooperation in emergency response; facilitating the exchange of information including intelligence and crime trends; and enhancing the exchanges and interactions between law enforcement and emergency personnel. Our objective is to join hands to take the “Safe Greater Bay Area” to a higher level as well as to develop an international first-class bay area where are ideal for living, working and travelling.

### **Non-refoulement claims and the Advance Passenger Information system**

14. The HKSAR Government proposed amendments to the Immigration Ordinance in 2020 with a view to further improving the arrangement of handling non-refoulement claims, including enhancing efficiency in the screening of claims and appeals, preventing various delaying tactics, and stepping up measures of interception at source, enforcement, removal as well as detention of claimants, etc. Upon passage by the Legislative Council (“LegCo”), the Immigration (Amendment) Ordinance 2021 took effect on 1 August 2021, enabling the executive authorities to handle claim-related matters more effectively.

15. Under the amended Immigration Ordinance, the Secretary for Security is empowered to make regulations for the implementation of the Advance Passenger Information (“API”) system, enabling the Hong Kong Special Administrative Region to fulfil its international obligation under the “Convention on International Civil Aviation”. According to the relevant requirements, airlines need to provide passenger information to the Immigration Department (“ImmD”) before flight departure to Hong Kong. The API system aims to require flights heading to but not departing from Hong Kong to provide passenger information, which will not only expedite the procedure of border inspection, but also prevent potential non-refoulement claimants from arriving at Hong Kong. ImmD has earlier commenced a feasibility study of the system, which is close to completion. ImmD will next start preparing for the tendering procedures. The HKSAR Government will timely consult LegCo on the relevant subsidiary legislation and seek its approval on the required funding proposal so as to implement the system as soon as possible.

### **Rationalising the requirement relating to death registration**

16. Pursuant to the Births and Deaths Registration Ordinance (Cap 174) (“BDO”), deaths from natural causes shall be registered by the nearest relatives or other relevant persons of the deceased within 24 hours<sup>1</sup> after such deaths. In its recent Audit Report, the Audit Commission noted that a significant number of deaths from natural causes was not registered within the statutory time limit and recommended ImmD to critically explore measures to address the issue. In response to the recommendation by the Audit Commission, SB/ImmD have conducted a review and would like to propose amending the legal requirement relating to death registration under the BDO. The objective is to ensure that the relevant legal requirement would keep up with the times, while taking into account the bereaved’s need to cope with the grief over the loss of their loved ones and handle the after-death arrangement of their lost loved ones. We will also take the opportunity to review other provisions of the BDO to ensure the provisions would keep up with the times and to provide legal backing for introduction of service enhancements by ImmD.

### **Smart Enforcement**

17. Disciplined services under SB will continue to make use of innovation and technology to enhance their law enforcement capabilities and enhance service standard. Examples include –

- (i) CSD will introduce more smart elements and expand their scope of application in correctional institutions to enhance the effectiveness of institutional management and rehabilitation;
- (ii) The Fire Services Department (FSD) will make use of technologies including unmanned aircraft system in search and rescue operations, and online platform to provide information and educate the public on the use of automated external defibrillator;
- (iii) The Customs and Excise Department will incorporate more smart elements into such areas as customs clearance, contraband detection, intelligence gathering and case investigation, and introduce artificial intelligence and big data analytics equipment and systems progressively in order to enhance customs clearance efficiency and foster cross-boundary movement of people and goods;

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<sup>1</sup> The calculation of the time is exclusive of the time necessary for the journey, and of any intervening hours of darkness and of general holidays as defined by the General Holidays Ordinance (Cap. 149).

- (iv) ImmD will introduce new means of immigration clearance and visa processing to streamline procedures and reduce waiting time;
- (v) The Hong Kong Police Force will explore the application of new technologies to expand the e-Ticketing Pilot Scheme, launch the “self-service kiosk” for lost property on a trial basis, and expand the online service of application for licences and permits; and
- (vi) The Government Flying Service (GFS) will make use of big data to enhance aviation safety, as well as training and operational efficiency. The Flight Simulator Training Centre at its headquarters is expected to commence operation in the fourth quarter of 2022.

### **Mountain Search and Rescue**

18. As visiting the countryside becomes more popular, the number of mountain search and rescue calls received by the relevant government departments have increased correspondingly. To enhance the efficiency of search and rescue operations, SB will strengthen the collaboration between emergency departments and promote the application of technology. For example, FSD has introduced brand-new equipment and corresponding computer analysis software, including large-scale unmanned aircraft systems with heat detectors to enhance the efficiency of search and rescue operations in the countryside. The Civil Aid Service is exploring a mobile application equipped with the global positioning system to help frontline rescue personnel record and track their search routes in real time. GFS has used virtual reality training system to simulate Hong Kong's mountainous terrain and computer simulation medical training device to simulate the conditions of the injured patients and improve the handling capacity of emergency pre-hospital care by GFS.

### **Fire Safety of old composite and domestic buildings**

19. To further enhance the fire safety of old composite and domestic buildings, the Government will amend the Fire Safety (Buildings) Ordinance (Cap. 572) (“FS(B)O”) to empower FSD and the Buildings Department to carry out fire safety improvement works for owners of old composite and domestic buildings who have not complied with the requirements of the FS(B)O, and to recover the relevant fees from them after the completion of works. In formulating the legislative proposal, we will make reference to the similar mechanism under the existing Buildings

Ordinance (Cap. 123) and its implementation experience, and will spare no efforts to resolve the legal and enforcement issues involved, with a view to launching a public consultation in the coming year in order to formulate a suitable mechanism and amend the legislation to empower the relevant departments to carry out the related works.

### **Updating the Regulatory Regime of Dangerous Goods**

20. To align the local regulatory regime on the packing, marking and labelling etc. of dangerous goods with the international standards, and at the same time to enhance the safety of manufacture, conveyance, storage and use of dangerous goods, as well as to facilitate the operation of the trades and the daily use of dangerous goods by the public, the HKSAR Government has completed all phases of amending the Dangerous Goods Ordinance and its subsidiary legislation. The amended legislation will come into operation in the first quarter of 2022. As there are many types of dangerous goods used in the daily lives of the public, the HKSAR Government will enhance public education, and maintain close liaison with the relevant trades, to facilitate the community to adapt to the new regulatory regime under the amended legislation.

### **Quality Migrant Admission Scheme**

21. Human capital is an important driving force for enhancing Hong Kong's competitiveness and promoting economic development. The HKSAR Government will continue to nurture local talents and strive to attract quality talents to Hong Kong amid the global competition for talents. Last year, the Government doubled the annual quota of the Quality Migrant Admission Scheme (QMAS) to 2 000 with a view to further enlarging Hong Kong's talent pool. The measure has yielded positive outcome, with over 1 700 talents from more than ten countries and territories having been allotted a quota in 2020. The HKSAR Government has decided to further double QMAS' annual quota to 4 000 to attract talents from all over the world to work in Hong Kong.

### **Facilitating Talent Flow within the GBA**

22. At present, non-Chinese Hong Kong residents are required to apply for a visa for travelling to the Mainland for tourism, business, employment, visiting relatives or friends, etc. To enhance the two-way flow of talents within the GBA and respond proactively to the aspirations of the international chambers of commerce for the facilitation non-Chinese Hong Kong residents to travel to Mainland cities of the GBA, the HKSAR Government has put forward concrete proposals to the Central



Government with a view to facilitating the flow of talents between Guangdong and Hong Kong, especially for facilitating non-Chinese nationals residing in Hong Kong to travel to the Mainland cities of the GBA for business, research, exchanges and visits, etc. The relevant Central Authorities will actively consider the proposal and have discussion with the HKSAR Government by the end of this year. These efforts will enhance Hong Kong's attractiveness to foreign businesses and overseas talents.

### **Correct Understanding of Drug Harms**

23. In view of the inundation of false information on drugs (particularly cannabis) in the community in recent years, members of the public, especially young people, may be oblivious to the dire consequences of drug abuse and drug trafficking. Indeed, the number of people aged under 21 reported to have abused drugs or having committed drug offences has been on the rise lately. The Narcotics Division (ND) will enhance efforts in publicising correct information on drug harms, including fostering closer collaboration with medical professional bodies to explain drug harms more pervasively to members of the public. ND is also revamping the Hong Kong Jockey Club Drug InfoCentre with more themes and interactive elements so as to provide visiting students, young people and members of the public with comprehensive anti-drug information. Relevant works are expected to be completed in mid-2022. On school education, ND, the Education Bureau and relevant departments will join hands with schools to provide students with more learning opportunities, both inside and outside classroom and complementing various on-going school-based anti-drug programmes, to help students understand drug harms correctly and stay vigilant against the lure of taking drugs and taking part in illegal acts related to drugs.

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