

L.N. 46 of 2023

**Immigration (Places of Detention) (Amendment) Order
2023**

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

1. Commencement

This Order comes into operation on 18 May 2023.

2. Immigration (Places of Detention) Order amended

The Immigration (Places of Detention) Order (Cap. 115 sub.
leg. B) is amended as set out in sections 3, 4 and 5.

3. Paragraph 3B repealed (use of telephone)

Paragraph 3B—

Repeal the paragraph.

4. Schedule 1 amended

(1) Schedule 1—

Repeal item 2

Substitute

“2. Addiction treatment centres set out in the Schedule
to the Drug Addiction Treatment Centres
(Appointment) Order.”.

(2) Schedule 1—

Repeal item 12.

5. Schedule 3 amended

Schedule 3—

Repeal item 25.

TANG Ping-keung
Secretary for Security

13 March 2023

Explanatory Note

This Order amends Schedule 1 to the Immigration (Places of Detention) Order (Cap. 115 sub. leg. B) (*Cap. 115B*) so that all addiction treatment centres set out in the Schedule to the Drug Addiction Treatment Centres (Appointment) Order become places of detention for the purposes of the Immigration Ordinance (Cap. 115). Certain provisions of the Prison Rules (Cap. 234 sub. leg. A) apply to a person detained in a place set out in that Schedule 1, in accordance with paragraphs 3 and 3A of Cap. 115B.

2. This Order also repeals the following provisions of Cap. 115B—
 - (a) paragraph 3B (the paragraph provides for the use of telephone in the Victoria Immigration Centre (a part of the Victoria Prison) and has become obsolete because the Victoria Prison has been redeveloped for other purposes);
 - (b) item 12 of Schedule 1 (the item has become obsolete because the Green Island Reception Centre is no longer operative);
 - (c) item 25 of Schedule 3 (the item has become obsolete because the area inside the Tuen Mun Ferry Terminal that is set aside as a detention room for use by the Immigration Department is no longer operative).