立法會 Legislative Council

LC Paper No. CB(2) 749/99-00 (These minutes have been seen by the Administration)

Ref : CB2/PL/SE/1

LegCo Panel on Security

Minutes of meeting held on Thursday, 11 November 1999 at 2:30 pm in Conference Room A of the Legislative Council Building

Members : Hon James TO Kun-sun (Chairman)

present Hon Mrs Selina CHOW LIANG Shuk-yee, JP

(Deputy Chairman)
Hon David CHU Yu-lin
Hon Albert HO Chun-yan
Hon CHEUNG Man-kwong
Hon Gary CHENG Kai-nam, JP
Hon Howard YOUNG, JP

Hon Andrew CHENG Kar-foo

Hon LAU Kong-wah

Members : Hon LEE Kai-ming, SBS, JP attending Hon CHAN Wing-chan

Members : Dr Hon LUI Ming-wah, JP absent Hon WONG Yung-kan

Public Officers: Item III attending

Mrs Clarie LO

Commissioner for Narcotics

Miss Christina CHONG Assistant Secretary for Security (Narcotics)

Mr Michael C Blanchflower Deputy Principal Government Counsel Department of Justice

Mr John Reading, SC Senior Assistant Director of Public Prosecutions Department of Justice

Mr Henrique KOO Chief Superintendent Narcotics Bureau Hong Kong Police Force

Ms Diana WONG Acting Superintendent Customs Drug Investigation Bureau Customs and Excise Department

Item IV

Mr Raymond WONG Deputy Secretary for Security 1

Miss Eliza YAU Principal Assistant Secretary for Security E

Mr John Bicknell Chief Superintendent (Crime) (Support)

Mr Simon Roberts Superintendent of Crime Prevention Bureau Hong Kong Police Force

Mrs Daphne CHEUNG Chief Executive Officer (Security and Guarding Services)

Item V

Mr Raymond WONG Deputy Secretary for Security 1

Miss Eliza YAU

Principal Assistant Secretary for Security E

Mr FOO Tsun-kong Regional Commander Marine Hong Kong Police Force

Mr P K LEE Assistant Director Government Fleet Division Marine Department

Mr Ronnie LAW Senior Surveyor Government New Construction Section Marine Department

Clerk in : Mrs Sharon TONG

attendance Chief Assistant Secretary (2)1

Staff in : Miss Betty M A

attendance Senior Assistant Secretary (2) 1

Action

I. Confirmation of minutes of meeting and matters arising (LC Paper No. CB(2) 195/98-99)

The minutes of the meeting held on 7 October 1999 were confirmed.

2. <u>Members</u> noted the list of follow-up actions required of the Administration (LC Paper No. CB(2) 308/99-00(01)).

II. Date of next meeting and items for discussion (LC Paper No. CB(2) 308/99-00(02))

- 3. <u>Members</u> agreed to discuss the following items for the next meeting to be held on 2 December 1999 at 2:30 pm -
 - (a) Redevelopment of Police Headquarters Stage 2;
 - (b) Expansion of Kiosks and Other Facilities at the Lok Ma Chau Boarder Crossing; and
 - (c) Replacement of Sector Patrol Launch for Customs and Excise Department.

(*Post-meeting note*: The next meeting was re-scheduled to 7 December 1999 as the Council meeting on 1 December 1999 would continue on 2 December 1999. Item (c) was replaced by "State of crime and detection rate".)

- 4. Having regard to the fact that quite a number of items proposed by members were placed on the list of outstanding items for discussion, the Chairman suggested to hold a special meeting in December 1999 to discuss items proposed by members. Members agreed to discuss the following items if a special meeting was scheduled -
 - (a) Immigration policy for handling entry applications;
 - (b) Legislative control on conveyance of used motor cycles in containers; and
 - (c) State of crime and detection rate.

As regards item in para.4(a), <u>Mr Albert HO</u> suggested that the Administration should provide information on the number of appeal cases received by the Chief Executive in Council as well as those received by the then Governor in Council, which were lodged by applicants who were aggrieved by the decisions of the Director of Immigration in relation to their entry applications. He could provide members with information regarding some of the appeal cases in question.

- 5. <u>The Chairman</u> said that the Administration should be urged to provide an update on the current position in respect of the application and verification procedures for Certificates of Entitlement and related issues.
- 6. Mr LAU Kong-wah suggested that measures to strengthen

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enforcement efforts against the supply and use of illicit fuel and the control of obscene and indecent articles be discussed by the Panel at future meetings. The Chairman advised that these issues were beyond the purview of the Panel. As the two issues had recently been discussed by the Panel on Financial Affairs and Panel on Information Technology and Broadcasting respectively, he suggested that the relevant discussion papers be circulated for members for reference. Members might consider later as to whether the issues should be followed up.

(*Post-meeting note*: The relevant discussion papers were circulated to members vide LC Paper No. CB(2) 495/99-00 dated 29 November 1999.)

7. <u>The Chairman</u> reminded members that a visit to the Police Headquarters on the Year 2000 compliance exercise was scheduled for 16 November 1999.

III. Amendments to the Drug Trafficking (Recovery of Proceeds) Ordinance

(LC Paper No. CB(2) 308/99-00(03))

- 8. Commissioner for Narcotics (C for N) briefed members on the background for proposing amendments to the Drug Trafficking (Recovery of Proceeds) Ordinance (Cap.405) and the Organized and Serious Crimes Ordinance (Cap.455). She said that the proposed amendments were technical in nature which aimed to further enhance the effectiveness of the confiscation and anti-money laundering provisions. She pointed out that certain provisions of the two Ordinances still fell short of the international Financial Action Task Force on Money Laundering (FATF)'s requirements notwithstanding the fact that FATF's recent comprehensive evaluation on Hong Kong's anti-money laundering commended highly on its efforts to improve the regime. The Administration had consulted the Bar Association, the Law Society, the Action Committee Against Narcotics and the financial regulators on the proposed amendments and had incorporated their comments in the proposals. Subject to members' views on the proposal, the Administration planned to introduce the Bill into the Legislative Council within this legislative session.
- 9. <u>Deputy Principal Government Counsel</u> (DPGC) added that the proposed amendments were general housekeeping amendments to make the Ordinance more effective. The proposed amendments were proposed having regard to the operational experience of the law enforcement agencies in dealing with the proceeds derived from drug trafficking and

other indictable offences which were provided under the two Ordinances.

Confiscation orders

- 10. <u>DPGC</u> said that under the existing provisions of Cap.405 and Cap.455, in the case of an application for a confiscation order against an absconded person whose exact whereabouts were not known, the prosecution had to try to ascertain that person's whereabouts and give him notice of proceedings. It was, however, unclear under the legislation whether the proceedings were related to proceedings for drug trafficking offences or proceedings for an application for a confiscation order. To provide clarity in the legislation, the Administration proposed to amend the requirement of notifying an absconded defendant in the case of an application for a confiscation order along the line that "reasonable steps should be taken to ascertain that person's whereabouts". The proposed amendments would allow the prosecution to satisfy the court by making attempts to locate an absconding person's whereabouts, e.g. through any known associates or relatives of his or employers or through registered postage to his last known residential address, etc.
- 11. <u>Mr CHEUNG Man-kwong</u> enquired whether the exact whereabouts of a person were confined to places within Hong Kong. <u>DPGC</u> responded that an absconded person meant a person whose exact whereabouts were not known irrespective of whether he was in or outside Hong Kong, i.e. he was regarded as disappeared.
- 12. Mr CHEUNG Man-kwong asked whether the Administration would have to give an absconded person notice of confiscation proceedings if it had come to its notice of the whereabouts of a person, e.g. the person is somewhere in the Mainland, although the exact whereabouts were unknown. DPGC said that the Ordinance catered for two situations. Firstly, if the exact whereabouts of an absconded person were known, i.e. the prosecution could locate the person without much difficulties, the law enforcement agencies would request their overseas counterparts to surrender the suspect in question under the relevant surrender of fugitive offenders arrangements. Secondly, if the exact whereabouts of the person in question were unknown and the law enforcement agencies learnt the possible whereabouts of the person in question, they might contact their overseas counterparts to carry out enquiries to see if the person could be located.
- 13. <u>Mr CHEUNG Man-kwong</u> further questioned about the arrangements if there were no formal agreements for the surrender of fugitive offenders. <u>DPGC</u> said that in such circumstances, the prosecution

would still have to try to give the person in question notice of confiscation proceedings. As the person in question was still regarded as an absconded defendant, it was up to him to decide whether he would return to Hong Kong to defend the proceedings.

- 14. <u>Mr CHEUNG Man-kwong</u> asked how the law enforcement agencies could ascertain that the person in question had received the notice of proceedings. <u>DPGC</u> said that the Police were advised to try to take all possible steps to serve the person in question the notice of confiscation proceedings in person as far as practicable.
- 15. Mrs Selina CHOW asked whether, under the legislative proposals, once the prosecution encountered difficulties in approaching or ascertaining the whereabouts of an absconded person to give him notice of proceedings, the prosecution could stop at this stage and be regarded as having taken reasonable steps to ascertain that person's whereabouts and satisfied all the statutory requirements for serving the notice of proceedings. DPGC responded that if the court was not satisfied that the prosecution had attempted to locate an absconding person's whereabouts, the application for a confiscation order would fail. No further proceedings could be proceeded.
- 16. Mr Albert HO said that he was not confident with the proposals as the Administration was placed with all the trust in having taken reasonable steps to ascertain the whereabouts of an absconded person. As all the proceeds from drug trafficking in the past six years could be confiscated as result of a confiscation order, Mr HO commented that the Administration's proposal was a very drastic step affecting the property of individuals. He questioned whether the proposal was the right way to deal with the matter. He pointed out that under certain circumstances, the court could prescribe some forms of substitute service, and in some exceptional situations, the court could direct that notice be dispensed with. In addition, any person affected might apply to the court for the suspension of a confiscation order under the relevant provisions. Hence, the court had already played the role of an arbitrator under the legislation. He expressed doubt as to why the court could not be engaged in an earlier stage to decide whether the prosecution had taken all possible means to serve the notice of proceedings.
- 17. Mr CHEUNG Man-kwong shared Mr HO's view. He said that the proceedings for an application for a confiscation order had to be dealt with cautiously as all the property held by the defendant in the last six years would be confiscated upon conviction.
- 18. <u>DPGC</u> responded that the application for a confiscation order

against an absconded person was a criminal matter, under which the prosecution would not seek directions from the court for a substituted service as that under civil proceedings. He explained that in making an application for a confiscation order against an absconded person, ascertaining the person's whereabouts was the only condition that the prosecution had to satisfy the court. Then the prosecution would have to show that the person in question had benefited from drug trafficking. If the absconded defendant had property in Hong Kong, it would be the subject of a restraint order. The prosecution would make an application to the court to appoint a receiver to realize any realizable property of the defendant. Before a receiver was appointed, notices must be given to all affected persons.

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19. The Chairman urged the Administration to take note of members' views on whether the legislative proposals would in general apply to all cases in respect of applications for confiscation orders or it would rest with the court to decide the merits of individual cases as to whether the prosecution had satisfied the notification proceedings.

Assessing the proceeds of drug trafficking

- 20. <u>DPGC</u> said that Cap.405 currently gave the court the power to assume that all the property held by the defendant since conviction, or which had passed through the defendant's hands in the last six years, came from drug trafficking. There was no provision under Cap.405 for the court to apply the assumptions in case of a person convicted of drug money laundering. <u>DPGC</u> added that Cap.405 was modelled almost entirely from the UK Drug Trafficking Act 1986 (the 1986 Act). There was a similar provision in the 1986 Act which stipulated that the assumptions would not be applicable to the drug money laundering offence. He pointed out that following a review of the 1986 Act conducted in 1998, the UK Home Office recommended to repeal the relevant provision which was considered illogical. Against this background, the Administration proposed that section 4(4) of Cap.405 be repealed.
- 21. Responding to the Chairman's enquiry about the progress of the implementation of the recommendations made in the UK 1998 review, <u>DPGC</u> said that the recommendations were being studied.
- 22. The Chairman said that currently under Cap.405, it was assumed that all property held by the defendant in the past six years since conviction came from drug trafficking. It, however, prohibted the court from applying the assumptions in cases of persons convicted of drug

money laundering. He enquired about the reasons for not allowing an assumption provision to be applied to defendants who had been convicted of a money laundering offence while introducing such assumptions under Cap.455 in 1994. <u>C for N</u> responded that the legislative proposals were to apply the assumptions to Cap.405. Under the current proposals, Cap.405 would be consistent with Cap.455 in applying the assumptions in assessing the proceeds of drug trafficking and money laundering.

- 23. <u>DPGC</u> said that the omission of the assumptions in assessing the proceeds of drug money laundering in Cap.405 could be explained by making reference to the 1986 Act. Under the 1986 Act, there was the same provision which stipulated that the assumptions in question did not apply to drug money laundering offences. The 1998 review conducted in the UK was responding to the comments made by UKs court regarding the unclear provision in this respect. The review had examined the background for the omission of the assumptions in the 1986 Act. It revealed that the UK Parliament evidently excluded drug money laundering offences from the scope of the assumptions because it regarded that they were not as serious as substantive trafficking offences. The court had commented that there was a significant gap in the confiscation legislation between drug trafficking and drug money laundering offences and that the situation should be rectified. It was against the above background that the Administration proposed the legislative amendments.
- 24. <u>Senior Assistant Director of Public Prosecutions</u> supplemented that if drug traffickers needed to make their money appear legitimate, they could do so through money laundering. Drug trafficking and money laundering were related offences and should be treated as the same offence.
- 25. To facilitate members' better understanding of the rationale for applying different assumptions in assessing the proceeds when defendants were convicted of drug trafficking and drug money laundering under Cap.405 and Cap.455, the Chairman requested the Administration to provide more information in this respect.
- Responding to Mr Albert HO's enquiry about the application of the assumptions in assessing the proceeds, <u>DPGC</u> said that the assumptions would only apply to a person who had been convicted of either drug trafficking offence or drug money laundering offence.

Application of procedure for enforcing confiscation orders

27. <u>DPGC</u> said that the Administration proposed to require the court

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to fix a period of, say, six months, within which a defendant had to pay the amount under a confiscation order. He pointed out that sometimes the court would not specify in the Certificate the period in which defendant had to pay a confiscation order. The payment of confiscated assets might be unduly delayed if the period of payment was not specified. Similar proposal to require the court to specify a confiscation order be paid within six months was made in the UK 1998 review report in respect of the Drug Trafficking Act 1994. The Administration considered that a period of six months was sufficient for determining whether a person agreed to serve the confiscation order in question.

Restraint orders and charging orders

- 28. Referring to the proposed penalty against a person who breached a restraint or charging order, Mr CHEUNG Man-kwong said that a fine of \$500,000 did not have sufficient deterrent effect having regard to the enormous amount of proceeds involved in drug trafficking. It was likely that a defendant would breach a restraint or charging order and disposed of his property well before the enforcement of a confiscation order upon conviction. The Chairman considered that an imprisonment term would be more effective in deterring people from engaging in drug money laundering offences, in particular the professionals who had assisted in money laundering transactions.
- 29. <u>DPGC</u> responded that similar penal provisions were laid down in section 14C of the Prevention of Bribery Ordinance (Cap.201) under which the Commissioner, ICAC could apply to the court for a restraint order. A person who committed an offence under the Ordinance would be liable on conviction to a fine of \$500,000 or to the value of the property disposed of, whichever was greater, and to imprisonment for one year. Nevertheless, the Administration was open-minded on the level of penalty.
- 30. <u>The Chairman</u> and <u>Mr CHEUNG Man-kwong</u> requested the Administration to review the proposed level of fine, e.g. the fine be set in proportion with the proceeds involved in the drug money laundering offences.

Dealing with property known or believed, etc, to represent proceeds of a drug trafficking/indictable offence

31. <u>DPGC</u> said that under existing section 25 of Cap.405 and Cap.455, it would be an offence for a person to deal with property if he knew or had reasonable grounds to believe that the property represented the proceeds of a drug trafficking or indictable offence. However, past

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operational experience revealed that in most cases, it was difficult to prove these two mental elements. Owing to the existing narrow coverage of the legislation, prosecutions and convictions were few, despite a relatively large number of investigations in the past few years.

- 32. The Chairman enquired about the differences between the mental elements required of under the existing provisions and the proposals. DPGC explained that the Administration did not change the mental elements of the offences in question. The Administration proposed to add a new offence to section 25 of the two Ordinance. Under the proposed provision, it would be an offence for a person to deal with property if he had reasonable grounds to suspect that the property in whole or in part represented a person's proceeds from drug trafficking or an indictable offence.
- 33. The Chairman said that it was very difficult to distinguish between "having reasonable grounds to believe" and "having reasonable grounds to suspect". DPGC explained that a belief was short of actual knowledge while suspicion would be regarded as having no real reasonable explanation from available fact, i.e. there was no direct proof. Hence, a lower mental element was involved in proving "having reasonable grounds to suspect". The Chairman urged that the Administration should further elaborate on the differences between "reasonable grounds to believe" and "reasonable grounds to suspect" when introducing the Bill to the Legislative Council, for instance, whether the courts in other jurisdictions could be able to devise a formula to distinguish the two elements clearly.
- Regarding the proposal to increase the maximum term of imprisonment in section 25(3)(a) of Cap.405 and Cap.455 from 14 years to 20 years, the Chairman asked whether the proposed penal provision would have sufficient deterrent effect having regard to the average penalty handed down by the court. DPGC said that the proposal was to reflect the opinions expressed by the court which repeatedly pointed out that money laundering should be treated the same as drug trafficking. The proposed imprisonment term was in line with similar legislation in other jurisdictions, e.g. the UK and Australia.
- 35. In concluding the discussion, the Chairman said that the Panel supported the general principle of the Bill. The technical aspects of the legislative proposals might be examined in detail in the relevant Bills Committee when it was formed. Mr Albert HO said that given that under the legislative proposals, all property held by the defendant would be subject to confiscation upon conviction, there should be in place a just procedure for dealing with confiscation proceedings.

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IV. Amendments to the Security and Guarding Services Ordinance

(LC Paper No. CB(2) 308/99-00(04))

Definition of "security work"

- 36. Referring to the proposals in para.9 of the information paper to include investigation services that were for prevention and detection of offences under the definition of "security work", Mr CHAN Wing-chan enquired whether the existing holder of security personnel permits would be required to perform investigation services after the coming into effect of the amendment bill. Deputy Secretary for Security 1 (DS(S)1) responded that the proposals aimed to clarify the scope of the law by putting beyond doubt that the definition of "security work" covered investigation services that were for prevention and detection of offences as provided by some of the security companies. It did not necessarily imply that every holder of security personnel permit had to perform investigation services.
- 37. The Chairman said that as he could recall, Members of the then Bills Committee on the Security and Guarding Services Bill were advised that the Administration had no intention to cover the regulation of investigation services. The current legislative proposals were extending the scope of the Ordinance and deviated from the Administration's original policy intent. If the Administration intended to amend the scope of activities covered under the definition of "security work", it should conduct a comprehensive consultation with the industry before introducing any legislative proposals. Hence, he objected to the proposals.
- 38. The Chairman urged the Administration to explain clearly to the industry as to whether they needed to obtain security personnel permits to perform investigation services as an interim measure.
- 39. <u>Mr Andrew CHENG</u> echoed the Chairman's concern. He disagreed with the Administration's proposal to extend the scope of the regulation without consulting the industry.
- 40. <u>Mrs Selina CHOW</u> expressed reservations about the proposed amendments to the definition of "security work". She considered that the proposed amendments were indeed a change in policy rather than a clarification of the scope of regulation. She pointed out that Members were given to understand in the then Bills Committee that preventing or

detecting the occurrence of any offence as defined in section 2 of the Ordinance referred to activities carried out in a confined physical location.

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- 41. <u>DS(S)1</u> assured members that the Administration would take note of members' views.
- 42. Referring to the legislative proposals stated in paragraph 7(a) of the information paper, <u>Mr Andrew CHENG</u> commented that the Administration was adopting a double standard of licensing requirements in respect of the investigation work for detecting irregularities or offences conducted by professional accountants and lawyers and other security personnel.
- 43. <u>DS(S)1</u> responded that it was never intended to regulate professional accountants and lawyers under the Security and Guarding Services Ordinance, these professionals were already adequately regulated by their respective professional bodies. The proposals would make it clear that the investigation work for detecting irregularities, fraud or other offences conducted by professional accountants and lawyers or their employees were not covered under the Ordinance. There was no question of double standard for these professionals and security personnel.
- 44. Responding to Mr LEE Kai-ming, <u>DS(S)1</u> said that the two activities mentioned in paragraph 7 of the information paper would be excluded from the application of the Ordinance under a new Schedule to be added to the Ordinance. The new Schedule would be amended by the Chief Executive in Council by notice published in the Gazette, and it would be subject to the negative vetting of the Legislative Council.

Licence fees

- 45. Responding to Mr CHAN Wing-chan's enquiry about the imposition of licence fees under the Ordinance, <u>DS(S)1</u> said that under the present legislation, the fee for a licence was fixed by reference to the nature and size of the business of the licensee. The costs to be incurred for issuing the licence, however, depended on the nature, rather than the size of the licensee's operations. The Administration therefore proposed to make it clear that the nature of a security company would be the only factor to be considered in fixing the licence fees. He added that licence fees were presently charged according to the different nature of the licensees' operations listed in the schedule to the Ordinance.
- 46. The Chairman enquired whether the licence fees for small scale

security companies would increase after adopting the proposals. <u>DS(S)1</u> said that the fees were being reviewed but it was unlikely that they would be increased.

- 47. <u>Mr Andrew CHENG</u> enquired about the response from the industry about the proposals in relation to the revised criteria for determining the licence fees. <u>DS(S)1</u> said that the industry expressed no dissenting views to the proposals.
- 48. Mr CHAN Wing-chan opined that the arrangement to pay a licence fee for a period of five years by a single payment would impose financial burden on the industry. DS(S)1 said that at present a licensee was allowed under the Ordinance to pay fees in five equal annual instalments. In the light of operational experience gained, the Administration proposed to change the present payment method to five separate annual fees.

Maximum time for investigation of a licence application

- 49. Referring to the proposal to empower the Security and Guarding Services Authority (the Authority) to extend the period for the Commissioner of Police (the Commissioner) to complete investigation into an application for a licence, <u>Mr Andrew CHENG</u> said that a maximum time for investigation should be stipulated in the Ordinance even though the existing maximum period was to be lifted.
- 50. <u>DS(S)1</u> said that at present the Commissioner was required under the Ordinance to complete an investigation into an application for a licence within a maximum period of 60 days. The period might sometimes need to be extended where a large number of applications were received within a short period of time where the Police were unable to cope with. It was therefore proposed that the period might be extended subject to the approval by the Authority.
- 51. Chief Executive Officer (Security and Guarding Services) added that the 60 days taken for carrying out an investigation of a licence application included verifying information contained in the application, obtaining additional information relating to the application, if required, investigating the applicant and compiling a report by the Police for the Authority's consideration, etc. Upon receipt of the investigation report, the Authority would conduct a hearing of the application to determine whether a licence should be granted. The applicant might amend his application, thereby extending the time limit for investigation beyond 60 days. She said that most of the licence applications could meet the 60-day requirement.

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- 52. <u>Mr Andrew CHENG</u> enquired about the number of licence applications which failed to be processed by the Authority within the 60-day period since its establishment, together with the reasons for failing to meet the 60-day requirement. <u>Mrs Selina CHOW</u> requested for information on the maximum period of extension.
- 53. <u>Chief Superintendent (Crime)(Support)</u> said that almost all the licence applications could meet the 60-day requirement with only few exceptional cases. In order to cater for unavoidable circumstances, the Administration proposed to empower the Authority to extend the stipulated time period where justified.
- 54. Mrs Selina CHOW reiterated that the Administration should consider setting a limit on the maximum period of extension having regard to its operational experience. Mr Andrew CHENG echoed Mrs CHOW's suggestion. DS(S)1 said that members' concerns would be taken into account in refining the Bill.

V. Replacement of Police launches

(LC Paper No. CB(2) 308/99-00(05))

- 55. Mr Howard YOUNG enquired about the arrangements for the two dumb lighters in times of typhoon as they might be destroyed during typhoons. Assistant Director (Government Fleet Division)/Marine Department (AD(GFD)) said that in line with the usual practice, dumb lighters would not be towed away during typhoons. The Administration would consider taking appropriate precautionary measures.
- 56. Noting that the six interceptor boats to be procured would have of a top speed of 35 knots, <u>Mr Albert HO</u> enquired whether the performance of the interceptor boats would be adequate for policing the Hong Kong waters. <u>Regional Commander (Marine)</u>/ <u>Hong Kong Police Force (RC(M))</u> said that the interceptor boats in question would be able to provide adequate coverage of Deep Bay after taking account of the shallow water in Deep Bay.
- 57. Mr Albert HO asked whether the Police had conducted any review on the unsatisfactory performance of the three existing water jet boats which could only achieve a maximum speed of 12 knots. AD(GFD) said that the three existing jet boats were procured in 1986. Owing to obsolescence, the performance of these fibreglass boats had been deteriorating. RC(M) added that based on experience, fibreglass hull would absorb water and thus increase the weight of the boat resulting in a

reduction in speed.

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58. Mrs Selina CHOW requested the Administration to further elaborate on why the three water jet boats originally planned to be procured could be replaced by two dumb lighters and six high-speed interceptor boats when submitting its funding proposals to the Finance Committee. The Chairman suggested that the Administration should explain how the revised procurement plan could better meet the operational needs in its funding proposals.

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- 59. The Chairman concluded that the Panel supported the proposals from the public safety point of view.
- 60. The meeting ended at 4:40 pm.

Legislative Council Secretariat 23 December 1999