

Accessing premises for Police's execution of duties

In view of concerns arising from Police's arrest of security guards reported by newspaper today (October 10), the Police responded as follows:

Under section 10, section 50 (3) and (4) of the Police Force Ordinance, Chapter 232 of the Laws of Hong Kong, the police have the right to enter any public or private premises, including housing estates, shopping arcades, Mass Transit Railway stations, etc upon reasonable doubt that a criminal offence has occurred.

The Police have all along been aware of the concerns of the security and property management industries regarding the right of the police in accessing premises for execution of duties. Since August, officers of the Crime Prevention Bureau has taken the initiative to contact the major property management companies and related associations to explain in detail the relevant provisions and rights, including the point that if one deliberately obstructs the police from performing their duties, he/she may commit the following regulation:

– Under section 36(b) of the Offence against the Person Ordinance, Chapter 212 – “any person who assaults, resists, or wilfully obstructs any police officer in due execution of his duty or any person acting in aid of such officer shall be guilty of an offence triable either summarily or upon indictment, and shall be liable to imprisonment for two years”; or

– Under section 63 of the Police Force Ordinance, Chapter 232 – “any person who assaults or resists any police officer acting in the execution of his duty, or aids or incites any person so to assault or resists, or refuses to assist any such officer in the execution of his duty when called upon to do so, or who, by the giving of false information with intent to defeat or delay the ends of justice, wilfully misleads or attempts to mislead any such officer, shall be liable on summary conviction to a fine of \$5,000 and to imprisonment for six months”.

The Police will continue to maintain close communication with the security and property management industries and disseminate relevant information to them so that they can provide relevant training and explanation to its staff in a bid to ensure concerted efforts in help maintaining law and order in Hong Kong.