

## LCQ 11: Access control of airport restricted area

Following is a question by the Hon Chu Hoi-dick and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (April 3):

Question:

It was reported that two Saudi Arabian women who intended to seek asylum from the Australian Government arrived at the Hong Kong International Airport from Colombo on a flight of the SriLankan Airlines (SLA) in September last year. While they were waiting for a connecting flight of the Cathay Pacific Airways (CX) to Melbourne in the airport restricted area, two staff members from the Consulate of Saudi Arabia in Hong Kong attempted to deceive them into boarding a flight to Dubai, and the staff members of SLA and CX cancelled their bookings of the flight to Melbourne. The two women were later permitted to enter Hong Kong and have now left Hong Kong. In this connection, will the Government inform this Council:

(1) whether it knows the means by which and the capacity in which the staff members of the Consulate of Saudi Arabia in Hong Kong entered the airport restricted area; whether it has assessed if their acts in the airport restricted area constituted any criminal offence; if it has assessed and the outcome is in the affirmative, of the follow-up actions; and

(2) whether it has assessed if the cancellation of the two women's flight bookings by the staff members of SLA and CX has undermined the women's consumer rights?

Reply:

President,

As an air transportation hub of Hong Kong and in the region, the Hong Kong International Airport handles a large volume of air traffic and a large number of passengers every day. We must ensure that a high level of aviation security is maintained. Under sections 4 and 5 of the Aviation Security Regulation (Cap. 494A), any person who enters an airport restricted area (ARA) shall have a valid airport restricted area permit (ARAP) unless he/she is an air-crew member, or a passenger entering the area for the purpose of embarking on/disembarking an aircraft, or being escorted by a person authorised by the Airport Authority Hong Kong (AA). Besides, according to the Aviation Security Regulation, AA is responsible for devising and implementing the ARAP system. The ARAP system is established to regulate persons going into and out of the ARA, and to ensure civil aviation is not subject to unlawful interference. ARAPs are issued by AA under the Aviation Security Regulation.

On the Hon Chu Hoi-dick's question, having consulted the relevant bureaux, departments and AA, my reply is as follows:

(1) Those who are employed to work within the ARA and those whose business requires their access to the ARA from time to time (including members of the consular post) may apply for an ARAP from the AA. Such applications should be supported by the relevant sponsoring organisations. AA rigorously safeguards the access control of the ARA, and ARAP holders are required to observe the relevant laws and rules (including the conditions of issue of ARAP) when using ARAPs. If any ARAP holder is found to conduct any unlawful act within the ARA, the case will be referred to the Police for follow-up.

As regards the case mentioned by the Hon Chu, while it is not appropriate for us to go into details, the Police already advised that they received reports from a foreign male and two foreign females respectively in early September 2018. After investigation, the case reported by the former was classified as "Missing Person Located", while the case reported by the latter was classified as "Request for Police Investigation" and was followed up by Crime New Territories South Regional Headquarters. The investigation is still ongoing. If it is found that the case may involve criminal elements, the Police will consult the Department of Justice and handle in accordance with the law.

(2) A mechanism among airlines is in place for handling changes or cancellation of flights for transfer passengers. If a transfer passenger has to change or cancel his or her schedule, the airline which commuted the passenger to Hong Kong would directly inform the airline which would serve the transfer passenger on the outbound journey. Passengers may follow up with the relevant airline(s) on their schedule arrangements. Should the parties fail to reach an agreement, the case can be followed up through legal recourse.