

Subsidiary legislation for effective management of Heung Yuen Wai Boundary Control Point

The Government will publish in the Gazette on Friday (October 5) the following subsidiary legislation to cater for the commissioning of the new Heung Yuen Wai Boundary Control Point (HYWBCP):

- the Closed Area (Heung Yuen Wai Boundary Control Point) Order (Closed Area Order);
- the Heung Yuen Wai Boundary Control Point Closed Area (Permission to Enter) Notice;
- the Frontier Closed Area (Permission to Enter) (Amendment) Notice 2018;
- the Immigration (Places of Detention) (Amendment) (No.2) Order 2018; and
- the Immigration Service (Designated Places) (Amendment) (No.2) Order 2018.

In order to maintain law and order at vehicular boundary control points, all of these control points are currently administered under the closed area approach, either under the Public Order Ordinance (Cap 245) or the Shenzhen Bay Port Hong Kong Port Area Ordinance (Cap 591). Following the established practice of other vehicular boundary control points, the Executive Council advised and the Chief Executive ordered that the Closed Area Order be made under the Public Order Ordinance to designate part of the HYWBCP as a closed area.

After the designation of the closed area, the Commissioner of Police has made the Heung Yuen Wai Boundary Control Point (Permission to Enter) Notice under the Public Order Ordinance to grant general permission to cross-boundary drivers, passengers and travellers for entering or leaving the closed area of the HYWBCP. In addition, as the five cross-boundary bridges of the HYWBCP are located within the existing frontier closed area declared under the Frontier Closed Area Order (Cap 245A), the Commissioner of Police has also made the Frontier Closed Area (Permission to Enter) (Amendment) Notice 2018 under the Public Order Ordinance to grant general permission to cross-boundary drivers, passengers and travellers for entering or leaving the frontier closed area.

In addition, the Secretary for Security has made the Immigration (Places of Detention) (Amendment) (No.2) Order 2018 and the Immigration Service (Designated Places) (Amendment) (No.2) Order 2018 to set up detention quarters at the HYWBCP for use by the Immigration Department in its routine immigration control and law enforcement duties.

The above Orders and Notices will take effect on the day on which the

HYWBCP comes into operation. The subsidiary legislation concerned will be tabled at the Legislative Council next Wednesday (October 10).