CONTROLLING OFFICER'S REPLY

(Question Serial No. 1471)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (000) Operational expenses

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

The provision for 2020-21 is \$613.2 million higher than the revised estimate for last year with an increase of 176 posts. In this regard, will the Customs and Excise Department (C&ED) advise:

- (1) of the distribution of ranks and the nature of work of the 176 posts concerned;
- (2) of the expenditure and manpower involved in strengthening the regulation of money service operators under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (AMLO) and stepping up investigation and prosecution of Customs-related money laundering offences to enhance the effectiveness of Hong Kong's anti-money laundering and counter-terrorist financing regime; and
- (3) whether any banking practitioners have been prosecuted and convicted for the criminal offences of assisting and participating in money laundering since the commencement of the AMLO.

Asked by: Hon CHAN Chun-ying (LegCo internal reference no.: 42)

Reply:

(1) In 2020-21, there is a net increase of 176 posts in C&ED under Programme (1) Control and Enforcement. The new posts are mainly created for providing additional manpower to meet the operational needs of 24-hour customs clearance at Shenzhen Bay Control Point, strengthen the regulation of money service operators, step up investigation and prosecution of Customs-related money laundering offences, and perform other relevant support duties under Programme (1). The details of the posts concerned are as follows:

Rank	Number	
	Posts to be created	Posts to be deleted
Assistant Superintendent of Customs	1	-
and Excise		
Senior Inspector of Customs and	6	-
Excise		
Inspector of Customs and Excise	17	-
Chief Customs Officer	12	-
Senior Customs Officer	55	-
Customs Officer	35	-
Chief Trade Controls Officer	1	-
Senior Trade Controls Officer	6	-
Trade Controls Officer	14	-
Assistant Trade Controls Officer	20	-
Executive Officer I	1	-
Treasury Accountant	1	-
Accounting Officer I	2	-
Clerical Assistant	-	-1
Special Driver	2	-
Motor Driver	4	-

	Total
Posts to be created	177
Posts to be deleted	-1
Net increase of posts	176

(2) Among the new posts to be created in 2020-21, 80 posts are created for providing additional manpower to strengthen the regulation of money service operators and step up investigation and prosecution of Customs-related money laundering offences, involving about \$43.81 million of salary expenditure. The details of the posts concerned are as follows:

Rank	Number
Assistant Superintendent of Customs	1
and Excise	
Senior Inspector of Customs and	3
Excise	
Inspector of Customs and Excise	9
Chief Customs Officer	2
Senior Customs Officer	6
Customs Officer	15
Chief Trade Controls Officer	1

Rank	Number
Senior Trade Controls Officer	6
Trade Controls Officer	14
Assistant Trade Controls Officer	20
Treasury Accountant	1
Accounting Officer I	2
Total:	80

(3) No banking practitioners have been prosecuted and convicted for assisting or participating in money laundering since the commencement of the AMLO.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1701)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

There was a significant increase in the amount of psychotropic substances seized from 2018 to 2019. Has the Customs and Excise Department (C&ED) assessed whether the intended inflows of psychotropic substances to Hong Kong are increasing? Is this related to the legalisation of cannabis in individual countries in recent years?

Asked by: Hon CHAN Hak-kan (LegCo internal reference no.: 14)

Reply:

C&ED has all along been striving to combat drug trafficking activities at all levels. Apart from stepping up enforcement at all control points, C&ED has also strengthened the liaison and co-operation with Mainland and overseas law enforcement agencies so as to combat drug trafficking activities at source. Efforts in this area have contributed to the increase in the amount of psychotropic substances seized.

In 2019, C&ED detected a number of large-scale drug trafficking cases, including 1 major drug case involving the seizure of approximately 120 kg of ketamine (amounting to over 30% of ketamine seized in the year) at the Hong Kong International Airport. Moreover, in collaboration with overseas law enforcement agencies, Hongkong Post and the logistics industry, C&ED seized a total of approximately 380 kg of cocaine (amounting to around 60% of cocaine seized in the year) in the city in 3 cases; a total of 24 520 "ecstasy" tablets (amounting to around 70% of "ecstasy" tablets seized in the year) through postal channels in 4 cases; etc. The above has contributed to a significant increase in the amount of relevant psychotropic substances seized as compared to 2018.

As for cannabis, C&ED strengthened the interception of the drug trafficked via air cargoes and through postal channels in 2019, resulting in the seizure of 266 kg of cannabis, which represented an increase of 89% compared to 2018. In light of the legalisation of the possession and sale of cannabis for recreational use in individual overseas countries or

regions in recent years, C&ED has been closely monitoring the global drug trends, and has strengthened the inspection of travellers and cargoes based on intelligence and risk management to interdict the flow of cannabis and products containing cannabis into Hong Kong. Meanwhile, C&ED has also stepped up publicity in respect of cannabis, including co-operating with the relevant Hong Kong Economic and Trade Offices to publicise the legal requirements in Hong Kong to members of the public in the places concerned; and liaising with major operators of air, sea and express cargoes to remind them of staying alert to goods suspected of containing cannabis and related products, and reporting to C&ED promptly.

C&ED adopts a zero-tolerance approach against all drug trafficking activities, and will continue to combat drugs by carrying out stringent enforcement actions and thorough investigation into drug offences.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1082)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (000) Operational expenses

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

There is an increase of more than \$600 million (13.6%) in the provision under Subhead 000 Operational expenses over the revised estimate for 2019-20. In this regard, please advise this Committee of the following:

The Government indicates that the substantial increase in the expenditure is mainly due to the additional requirement for the provision of customs clearance services at the Heung Yuen Wai Boundary Control Point, 24-hour customs clearance services at the Shenzhen Bay Control Point, etc. How much manpower is required and what are the estimated expenditures in the coming year for providing clearance services at the above 2 control points respectively?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 3)

Reply:

To meet the operational needs of the Heung Yuen Wai Boundary Control Point, the Customs and Excise Department (C&ED) will create a total of 264 posts, involving about \$115 million of salary expenditure. The details of the posts are as follows:

Rank	Number
Assistant Superintendent of Customs and Excise	2
Senior Inspector of Customs and Excise	8
Inspector of Customs and Excise	25
Chief Customs Officer	20

Senior Customs Officer	98
Rank	Number
Customs Officer	103
Clerical Assistant	1
Special Driver	6
Motor Driver	1
Total:	264*

^{*}posts captured in the 2018-19 Estimates

To meet the operational needs for providing 24-hour clearance services at the Shenzhen Bay Control Point, C&ED will create a total of 82 posts, involving about \$36.87 million of salary expenditure. The details of the posts are as follows:

Rank	Number
Senior Inspector of Customs and Excise	3
Inspector of Customs and Excise	5
Chief Customs Officer	8
Senior Customs Officer	45
Customs Officer	19
Special Driver	2
Total:	82

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1252)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (1) Control and Enforcement, (3) Intellectual Property Rights and

Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

Under Programme (1), the expenditure for the coming year is \$613.2 million (17.3%) higher than the revised estimate for this year. This is mainly due to the net increase of 176 posts to meet the operational needs and increased cash flow requirement for capital projects. By contrast, only an increase of \$87.1 million is required for the 117 posts created under Programme (3). Will the Government advise of the reasons for such a difference with regard to the following:

- 1. What is the expenditure under the Capital Account for Programme (1)? And what are the respective numbers and ranks of the additional staff and the total salary expenditure involved in the two Programmes?
- 2. Will the work under Programme (1) in the coming year include the stepping up of efforts against the import of contraband or strategic commodities? If yes, what are the specific plans and the manpower deployment?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 62)

Reply:

1. In 2020-21, there is a net increase of 176 posts in the Customs and Excise Department (C&ED) under Programme (1) Control and Enforcement, involving about \$87.4 million of salary expenditure. The new posts are mainly created for providing additional manpower to meet the operational needs of 24-hour customs clearance at Shenzhen Bay Control Point, strengthen the regulation of money service operators, step up investigation and prosecution of Customs-related money laundering offences, and perform other relevant support duties under Programme (1). The details of such posts are as follows:

Rank	Number	
	Posts to be created	Posts to be deleted
Assistant Superintendent of Customs	1	-
and Excise		
Senior Inspector of Customs and	6	-
Excise		
Inspector of Customs and Excise	17	-
Chief Customs Officer	12	-
Senior Customs Officer	55	-
Customs Officer	35	-
Chief Trade Controls Officer	1	-
Senior Trade Controls Officer	6	-
Trade Controls Officer	14	-
Assistant Trade Controls Officer	20	-
Executive Officer I	1	-
Treasury Accountant	1	-
Accounting Officer I	2	-
Clerical Assistant	-	-1
Special Driver	2	-
Motor Driver	4	-

	Total
Posts to be created	177
Posts to be deleted	-1
Net increase of posts	176

In 2020-21, C&ED will create 117 posts under Programme (3) Intellectual Property Rights and Consumer Protection, involving about \$62.45 million of salary expenditure. The new posts are mainly created for providing additional manpower to carry out research support and preparatory work for the proposed statutory cooling-off period for beauty and fitness services consumer contracts. These new posts also include, subject to the completion of the relevant legislative exercises, posts to be created for implementing the statutory cooling-off period and assuming the regulatory role for safety of non-telecommunication functions of mobile phones and other telecommunications consumer goods. The details of such posts are as follows:

Rank	Number	
	Posts to be created	Posts to be deleted
Assistant Commissioner of Customs	1	-
and Excise		
Superintendent of Customs and	1	-
Excise		
Assistant Superintendent of Customs	3	-

Rank	Number	
	Posts to be created	Posts to be deleted
and Excise		
Senior Inspector of Customs and Excise	9	-
Inspector of Customs and Excise	11	-
Chief Customs Officer	5	-
Senior Customs Officer	18	-
Customs Officer	46	-
Chief Trade Controls Officer	1	-
Senior Trade Controls Officer	4	-
Trade Controls Officer	7	-
Assistant Trade Controls Officer	9	-
Electronics Engineer / Assistant Electronics Engineer	2	-

	Total
Posts to be created	117
Posts to be deleted	-0
Net increase of posts	117

The work under Programme (1) and Programme (3) are of different nature. Their expenditures for the coming year are higher than their revised estimates for this year by different amounts (i.e. an increase of \$613.2 million and \$87.1 million respectively). This is due to different additional expenditures on the increased manpower as well as different operating expenses and the procurement and replacement of different equipment under the two Programmes. For Programme (1), the Capital Account thereof involves equipment to be procured and replaced under Subhead 603 Plant, vehicles and equipment and Subhead 661 Minor plant, vehicles and equipment (block vote).

2. The major tasks of C&ED under the Programme of Control and Enforcement include taking actions at control points, conducting maritime and land patrols within the territory of Hong Kong, as well as carrying out customs clearance / spot checks on passengers, cargoes, conveyances and postal articles pursuant to relevant legislations in Hong Kong based on the results of risk assessment and intelligence analysis, so as to detect and intercept the import and export of contraband and controlled items (including strategic commodities). In 2020-21, the estimated manpower for this Programme is 6 154 persons.

Examination of Estimates of Expenditure 2020-21

Reply Serial No.

SB329

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1253)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (103) Rewards and special services

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

A provision of \$12 million under *Subhead 103 Rewards and special services* is allocated for expenditure on rewards and services of a confidential nature in the coming year. What is the percentage change in the expenditure on this item when compared with last year? How does it improve specifically the enforcement work of the Customs and Excise Department (C&ED)? How many cases in total are involved in the expenditure?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 63)

Reply:

Since the expenditure under this subhead involves confidential operations of C&ED in detecting criminal activities, disclosure of the relevant details would enable the criminals to analyse such information and see through the operation strategies of the Department, which would in turn compromise enforcement effectiveness and jeopardise public interest. It is therefore not desirable to disclose such details.

Examination of Estimates of Expenditure 2020-21

Reply Serial No.

SB330

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1254)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (603) Plant, vehicles and equipment

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

Regarding the replacement of one High Speed Pursuit Craft under items 834 and 835 respectively of Subhead 603 of the Capital Account, will the Government advise this Committee whether the procurement is to replace the craft capsized after a collision earlier? If no, is there any plan to replace the capsized craft? Are the pursuit craft to be procured of the same model as the capsized craft? Will the Department review the safety standards for watercraft procurement to ensure better protection of the lives of frontline Customs Officers?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 64)

Reply:

The 2 High Speed Pursuit Craft of a new model to be procured under items 834 and 835 of Subhead 603 of the Capital Account are used to replace 2 High Speed Pursuit Craft which commenced service in 2003. The High Speed Pursuit Craft to be procured under these items are of a vessel type different from that of the Shallow Water Craft capsized earlier. After the incident, the Customs and Excise Department (C&ED) has been working with the Marine Department and the Electrical and Mechanical Services Department to conduct a comprehensive examination of the capsized craft, and will formulate a suitable replacement plan according to the results as necessary.

All government vessels are required to be procured by the Marine Department. C&ED will fully complement the Marine Department in procuring new vessels to ensure that their designs comply with stringent safety standards, thereby ensuring the safety of vessels and crew members.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1879)

Head: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

According to the actual quantities of drugs seized in 2019, there is a rising trend for a number of drugs, including methylene-dioxy-methyl-amphetamine, also known as "ecstasy". In 2019, around 35 000 pellets were seized, which was 10 times more than that of some 4 500 pellets seized in 2018. The seizure of ketamine rose from 18.5 kg in 2018 to 361.5 kg in 2019 while that of poisons/antibiotics had a surge of almost 30 times, from over 90 000 pellets in 2018 to more than 2.6 million pellets in 2019. In this connection, will the Government inform this Committee of the reasons for the significant increase in the quantities of drugs seized? Are there any detailed investigations? If yes, what are the details? If no, what are the reasons?

Asked by: Hon LAU Kwok-fan (LegCo internal reference no.: 7)

Reply:

The Customs and Excise Department (C&ED) has all along been striving to combat drug trafficking activities at all levels. Apart from stepping up enforcement at all control points, C&ED has also strengthened the liaison and co-operation with Mainland and overseas law enforcement agencies so as to combat drug trafficking activities at source. Efforts in this area have contributed to the increase in the amount of psychotropic substances seized.

In 2019, C&ED detected a number of large-scale drug trafficking cases, including 1 major drug case involving the seizure of approximately 120 kg of ketamine (amounting to over 30% of ketamine seized in the year) at the Hong Kong International Airport. Moreover, in collaboration with overseas law enforcement agencies, Hongkong Post and the logistics industry, C&ED seized a total of 24 520 "ecstasy" tablets (amounting to around 70% of "ecstasy" tablets seized in the year) through postal channels in 4 cases. The above has contributed to a significant increase in the amount of relevant psychotropic substances seized as compared to 2018.

The substantial increase in the seizure of poisons/antibiotics was mainly due to a major case detected at Kwai Chung Container Terminals, involving more than 556 000 tablets of drugs and 1 large-scale operation in the city involving 1.92 million tablets of drugs (the 2 cases accounted for more than 90% of the relevant total quantity of poisons/antibiotics seized in the year).

C&ED adopts a zero-tolerance approach against all drug trafficking activities, and will continue to combat drugs by carrying out stringent enforcement actions and thorough investigation into drug offences.

- End -

CONTROLLING OFFICER'S REPLY

SB332

(Question Serial No. 2205)

Head: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

The Customs and Excise Department (C&ED) plans to increase its manpower to 7 856 in 2020-21. It is noted that some C&ED officers have applied for "Special Constables" and the deployment of manpower is affected as a result. In this connection, please advise this Committee of the following:

(a) Please set out in the table below the number of C&ED officers applied for "Special Constables" and their working hours from January 2019 to date:

Month	Number of C&ED officers applied for Special Constables	Number of C&ED officers serving as Special Constables	Total duty hours

(b) Please set out in the table below the number of C&ED officers serving as "Special Constables" by rank from January 2019 to date:

	Month / Civilian staff Original rank		Chief Customs Officer Probationary Inspector	Inspector	Senior Inspector	Assistant Superintendent	Superintendent	Senior Superintendent or above
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(c) Please set out in the table below the salary expenditures involved for C&ED officers serving as "Special Constables" from January 2019 to date.

Month / Original rank	Civilian staff	Customs Officer	Senior Customs Officer	Chief Customs Officer	Probationary Inspector	Inspector	Senior Inspector	Assistant Superintendent	Superintendent	Senior Superintendent or above

- (d) Regarding the C&ED officers who applied for and served as "Special Constables" from January 2019 to date, is the salary expenditure borne by the Hong Kong Police Force or C&ED? Are these officers regarded as carrying out off-duty work, overtime work or normal duties?
- (e) Please set out in the table below the number of additional staff by rank to be recruited by C&ED in 2020-21.

	Month / Original rank	Customs Officer	Senior Customs Officer	Chief Customs Officer	Probationary Inspector	Inspector	Senior Inspector	Assistant Superintendent	Superintendent	Senior Superintendent or above
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Asked by: Hon MO Claudia (LegCo internal reference no.: 34)

Reply:

The ongoing riots over the past few months, with their massive scale, simultaneous occurrence in various districts and grave severity of violence, make it necessary to strengthen support for the Police's frontline officers. Since mid-November 2019, the Commissioner of Police, in accordance with section 40 of the Public Order Ordinance (Cap. 245), has appointed officers of the Correctional Services Department (CSD), the Immigration Department (ImmD) and C&ED as Special Constables to enhance the Police's manpower.

The Police may appoint Special Constables having regard to its manpower needs and development of the social events. Currently, there are about 400 Special Constables, about half of them are from CSD and the rest from C&ED and ImmD.

As for the working hours and rank distribution, as operational details are involved, it is not appropriate to disclose such information.

During their appointment as Special Constables, relevant C&ED officers are on loan to the Police from their parent department on a part-time basis to discharge the duties of Special Constables. They take up the appointment on a voluntary basis. In this regard, relevant departments have flexibly deployed their work to cope with the relevant arrangements. The existing conditions of service offered by their parent departments (including salary, conditioned hours of work, benefits and leave entitlement, etc.) remain unchanged. Salaries are charged to the expenditure heads of their parent departments.

During their appointment as Special Constables, if the working hours of C&ED officers (including the hours working in their parent department and the hours working as Special Constables) exceed their conditioned hours of work, they may be paid an overtime allowance under the current arrangement. From November 2019 to 29 February 2020, the expenditure of C&ED on the overtime allowance of officers appointed as Special Constable is about \$1.71 million. Since the working hours of the relevant officers include both the hours working in their parent department and the hours working as Special Constables, the amount of overtime allowance does not equal the expenditure on overtime allowance payable to relevant officers for their work as Special Constables.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 2223)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

a. Please set out the quantity, value and stock of surgical masks (CSI masks) produced by the Correctional Services Department (CSD) that the Customs and Excise Department (C&ED) obtained from the Government Logistics Department (GLD) each month in the past 3 years in the following table:

Month/Year	Quantity of CSI masks obtained	Value of CSI masks obtained	Stock of CSI masks

b. Please set out the quantity, value, stock and consumption of surgical masks that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of	Quantity of	Stock	Consumption
	surgical masks	surgical masks		
	obtained from	procured (value)		
	GLD (value)			

c. Please set out the quantity, value, stock and consumption of N95 masks that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of N95	Quantity of N95	Stock	Consumption
	masks obtained	masks procured		
	from GLD (value)	(value)		

d. Please set out the quantity, value, stock and consumption of gowns that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of gowns	Quantity of	Stock	Consumption
	obtained from	gowns procured		

GLD (value)	(value)	

e. Please set out the quantity, value, stock and consumption of protective coverall suits that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of	Quantity of	Stock	Consumption
	protective coverall	protective		
	suits obtained	coverall suits		
	from GLD (value)	procured (value)		

f. Please set out the quantity, value, stock and consumption of face shields that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of face shields procured		Consumption

g. Please set out the quantity, value, stock and consumption of goggles that C&ED obtained from GLD or procured each month in the past 3 years in the following table:

Month/Year	Quantity of	Value of goggles	Stock of	Consumption
	goggles procured	procured	goggles	

h. Did C&ED supply or sell surgical masks, N95 masks, face shields, goggles, gowns and protective coverall suits to other organisations in the past 3 years? If yes, please provide the relevant information, including the quantity, consumption and stock, in the following table:

Month/Year	Name of	Manner	Surgical	N95	Face	Goggles	Gowns	Protective
	organisations	of	masks	masks	shields			coverall
		provision						suits
		(e.g. sold						
		or						
		supplied						
		for free)						

i. If C&ED is to supply or sell surgical masks, N95 masks, face shields, goggles, gowns and protective coverall suits to other organisations, what are the departments/branches and the ranks of the officers responsible for making such decisions? Please provide the ranks of the officers involved in each decision, the date they made the decision and other relevant information.

Asked by: Hon MO Claudia (LegCo internal	reference no.: 52)
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Reply:

C&ED has collected masks (produced by CSD) and other personal protective equipment (PPE) from GLD, as well as procured masks and other PPE from the market, for distribution to colleagues for use. C&ED has not consolidated the information on the masks and other PPE from different sources distributed to individual officers.

There is a global upsurge in demand for PPE, and the procurement work of the HKSAR Government is facing fierce competition. In order not to weaken the bargaining power of GLD and various departments in sourcing PPE, the HKSAR Government considers it inappropriate at this stage to disclose further information of specific departments regarding PPE, such as the stock in the past few years and at present, the quantity procured and expenditures incurred, and the consumption, etc.

C&ED did not supply or sell surgical masks, N95 masks, face shields, goggles, gowns or protective coverall suits to other organisations in the past 3 years.

CONTROLLING OFFICER'S REPLY

SB334

(Question Serial No. 1341)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development /

Secretary for the Civil Service

Question:

In 2020-21, there is an increase of 292 non-directorate posts in the Customs and Excise Department (C&ED). With regard to manpower planning, will the Government please advise of:

- (a) the numbers of posts to be deleted and created by the Department by rank and function; and
- (b) the establishment, strength, staff wastage and number of retirees of each rank by Programme in 2019-20 and the estimated figures of such in 2020-21.

Asked by: Hon POON Siu-ping (LegCo internal reference no.: 43)

Reply:

In 2020-21, there is a net increase of 292 non-directorate posts in C&ED. The new (a) posts are mainly created for providing additional manpower to meet the operational needs of 24-hour customs clearance at Shenzhen Bay Control Point, strengthen the regulation of Money Service Operators, step up investigation and prosecution of Customs-related money laundering offences and carry out research support and preparatory work for the proposed statutory cooling-off period for beauty and fitness services consumer contracts. These new posts also include, subject to the completion of the relevant legislative exercises, posts to be created for implementing the statutory cooling-off period and assuming the regulatory role safety non-telecommunication functions of mobile phones and other telecommunications consumer goods. The details of such posts are as follows:

Rank	Number		
	Posts to be created	Posts to be deleted	
Superintendent of Customs and Excise	1	-	
Assistant Superintendent of Customs and	4	-	
Excise			
Senior Inspector of Customs and Excise	15	•	
Inspector of Customs and Excise	28	-	
Chief Customs Officer	17	-	
Senior Customs Officer	73		
Customs Officer	81	-	
Chief Trade Controls Officer	2	-	
Senior Trade Controls Officer	10	-	
Trade Controls Officer	21	1	
Assistant Trade Controls Officer	29	-	
Executive Officer I	1	-	
Treasury Accountant	1	-	
Accounting Officer I	2	1	
Clerical Assistant	-	-1	
Special Driver	2	-	
Motor Driver	4	-	
Electronics Engineer / Assistant	2	-	
Electronics Engineer			

	Total
Posts to be created	293
Posts to be deleted	-1
Net increase of posts	292

(b) The establishment of C&ED in 2019-20 and the estimated establishment of C&ED in 2020-21 are as follows:

Financial year	Programme (1)	Programme (2)	Programme (3)	Programme (4)	Programme (5)	Total
2019-20	5 978	383	578	292	342	7 573
2020-21	6 154	383	695	292	342	7 866

The establishment of C&ED and the strength of each rank in 2019-20 are as follows:

Rank	Establishment (Strength*)	Rank	Establishment (Strength*)
Commissioner of	1 (1)	Statistician	1 (1)
Customs and Excise		Statistical Officer I	2 (2)
Deputy Commissioner of Customs and Excise	1 (1)	Statistical Officer II	2 (2)
Assistant Commissioner of Customs and Excise	3 (2)	Armourer I	1 (1)
Administrative Officer Staff Grade C	1 (0)	Armourer III	1 (1)
Senior Principal Trade Controls	1(1)	Senior Systems Manager	2 (2)
Officer		Systems Manager	6 (6)
Chief Superintendent of Customs and Excise	2 (2)	Analyst / Programmer I	20 (14)
Senior Superintendent of Customs and Excise	19 (18)	Analyst / Programmer II	12 (11)
Superintendent of Customs and Excise	39 (26)	Assistant Computer Operation Manager	1 (1)
Assistant Superintendent of Customs and Excise	93 (76)	Senior Computer Operator	3 (3)
Senior Inspector of Customs and Excise	378 (342)	Computer Operator I	10 (10)
Inspector of Customs and Excise	593 (590)	Computer Operator II	9 (8)
Chief Customs Officer	473 (395)	Senior Confidential Assistant	1 (1)
Senior Customs Officer	1 557 (1 165)	Confidential Assistant	8 (7)
Customs Officer	3 232 (3 398)	Senior Clerical Officer	7 (6)
Principal Trade Controls Officer	6 (4)	Clerical Officer	32 (36)

Rank	Establishment (Strength*)
Chief Trade	26 (25)
Controls Officer	,
Senior Trade	81 (67)
Controls Officer	
Trade Controls	192 (170)
Officer	1)2 (170)
Officer	
Assistant Trade	188 (195)
Controls Officer	
Chief Executive	1 (0)
Officer	1 (0)
Senior Executive	4 (5)
Officer	. (5)
Executive Officer I	21 (11)
LACCULIVE OFFICER I	21 (11)
Executive Officer II	5 (12)
Senior Treasury	1 (1)
Accountant	1 (1)
Treasury Accountant	4 (4)
Senior Accounting	4 (4)
Officer	1 (0)
Accounting Officer I	6 (7)
Accounting Officer	$\frac{3(7)}{2(2)}$
II	2 (2)
Senior Training	1(1)
Officer	1 (1)
Training Officer I	1 (1)
Senior Official	1(1) 1(1)
Languages Officer	1 (1)
Official Languages	3 (3)
Officer I	3 (3)
Official Languages	15 (15)
Officer II	15 (15)
Calligraphist	1 (1)
Senior Personal	1 (1)
Secretary	1 (1)
•	6 (6)
Personal Secretary II	13 (14)
Personal Secretary II	` ′
Senior Typist	$\frac{1(1)}{7(7)}$
Typist	1 (1)
Senior Divisional	1 (1)
Occupational Safety	
Officer	1 /1 \
Transport Services	1 (1)
Officer I	

Rank	Establishment
	(Strength*)
Assistant Clerical Officer	140 (134)
Clerical Assistant	110 (100)
	, , ,
Office Assistant	17 (14)
Chief Supplies Officer	1 (0)
Senior Supplies Officer	1 (1)
Supplies Officer	4 (3)
Assistant Supplies	4 (6)
Officer	
Senior Supplies	1 (1)
Supervisor	
Supplies Supervisor I	11 (8)
Supplies Supervisor II	25 (29) 11 (12)
Supplies Assistant	11 (12)
Special Driver	36 (26)
Motor Driver	36 (26) 70 (71)
Workman II	24 (20)
Cook	1 (1) 1 (1)
Leisure Services	1 (1)
Manager	
Assistant Leisure	1 (1)
Services Manager II	
Management Services	1 (1)
Officer I	2 (2)
Senior Launch Master	3 (3) 6 (6)
Launch Assistant	6 (6)
Special Photographer I	1 (0)
Special Photographer II	3 (0)
Total	7 573 (7 123)

* The strength as at 31 January 2020, including officers on pre-retirement leave.

The strength of each rank in 2020-21 cannot be affirmed at the moment due to various factors such as resignation and early retirement. The estimated establishment of each rank is listed below:

Rank	Establishment
Commissioner of	1
Customs and Excise	
Deputy Commissioner	1
of Customs and Excise	
Assistant Commissioner	4
of Customs and Excise	
Administrative Officer	1
Staff Grade C	
Senior Principal Trade	1
Controls Office	
Chief Superintendent of	2
Customs and Excise	
Senior Superintendent of	19
Customs and Excise	
Superintendent of	40
Customs and Excise	
Assistant Superintendent	97
of Customs and Excise	
Senior Inspector of	393
Customs and Excise	
Inspector of Customs	621
and Excise	
Chief Customs Officer	490
Senior Customs Officer	1 630
Customs Officer	3 313
Principal Trade Controls	6
Officer	
Chief Trade Controls	28
Officer	
Senior Trade Controls	91
Officer	
Trade Controls Officer	213
Assistant Trade Controls	217
Officer	
Chief Executive Officer	1
Senior Executive Officer	4
Executive Officer I	22
Executive Officer II	5
LACCULIVE OFFICER II	J

Rank	Establishment
Statistician	1
Statistical Officer I	2
Statistical Officer II	2
Armourer I	1
Armourer III	1
Senior Systems Manager	2
Systems Manager	6
Analyst / Programmer I	20
Analyst / Programmer II	12
Assistant Computer Operation Manager	1
Senior Computer Operator	3
Computer Operator I	10
Computer Operator II	9
Senior Confidential Assistant	1
Confidential Assistant	8
Senior Clerical Officer	7
Clerical Officer	32
Assistant Clerical Officer	140
Clerical Assistant	109
Office Assistant	17
Chief Supplies Officer	1
Senior Supplies Officer	1
Supplies Officer	4
Assistant Supplies Officer	4
Senior Supplies	1

Rank	Establishment
Senior Treasury	1
Accountant	
Treasury Accountant	5
Senior Accounting	1
Officer	
Accounting Officer I	8
Accounting Officer II	2
Senior Training Officer	1
Training Officer I	1
Senior Official	1
Languages Officer	
Official Languages	3
Officer I	
Official Languages	15
Officer II	
Calligraphist	1
Senior Personal	1
Secretary	
Personal Secretary I	6
Personal Secretary II	13
Senior Typist	1
Typist	7
Senior Divisional	1
Occupational Safety	
Officer	
Transport Services	1
Officer I	

Rank	Establishment
Supervisor	
Supplies Supervisor I	11
Supplies Supervisor II	25
Supplies Assistant	11
Special Driver	38
Motor Driver	74
Workman II	24
Cook	1
Leisure Services	1
Manager	
Assistant Leisure	1
Services Manager II	
Management Services	1
Officer I	
Senior Launch Master	3
Launch Assistant	6
Special Photographer I	1
Special Photographer II	3
Electronics Engineer /	2
Assistant Electronics	
Engineer	
Total	7 866

The staff wastage and number of retirees in 2019-20 and the estimated number of retirees in 2020-21 are listed below:

	2019-2020 (As at 29 February 2020)		2020-2021
	Staff Wastage	Number of Retirees	Estimated Number of Retirees
Superintendent/ Inspectorate Grade	3	28	26
Customs Officer Grade	59	116	102
Trade Controls Officer Grade	11	13	19
Other Grades	6	19	42

CONTROLLING OFFICER'S REPLY

SB335

(Question Serial No. 0859)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Commerce and Economic

Development

Question:

In 2020-21, the Customs and Excise Department (C&ED) will continue to improve clearance services to facilitate efficient passenger and cargo flows across the boundary. Will the Department inform this Committee of the manpower arrangement, detailed action plan and expenditure involved?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 10)

Reply:

In 2020-21, C&ED will keep up its efforts in improving clearance efficiency to facilitate passenger and cargo flows across the boundary. To further facilitate cross-boundary passenger and cargo flows, the Department will provide customs clearance services at Heung Yuen Wai Boundary Control Point and 24-hour customs clearance services at Shenzhen Bay Control Point. Moreover, C&ED will continue to promote the utilisation of Single E-lock Scheme to enhance customs clearance efficiency for cross-border inter-modal cargoes; and proactively promote and develop the Hong Kong Authorized Economic Operator Programme, such that accredited enterprises may enjoy clearance facilitation, such as reduced examination and prioritised clearance.

In 2020-21, C&ED's estimated expenditure under the Programme "Control and Enforcement" is \$4,165.9 million, involving an estimated number of 6 154 posts. As improving clearance services to facilitate efficient passenger and cargo flows across the boundary constitutes part of the work of the Department, it is difficult to quantify such expenditure separately.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0870)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

According to the Customs and Excise Department (C&ED), the provision for this Programme for 2020-21 is \$613.2 million (17.3%) higher than the revised estimate for 2019-20, which is mainly due to the net increase of 176 posts to meet operational needs, increased operating expenses, and increased cash flow requirement for capital projects. Will the Government provide the respective scopes of duties of the posts involved, the departments/branches to which they belong and a breakdown of the expenditure?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 14)

Reply:

In 2020-21, there is a net increase of 176 posts in C&ED under Programme (1) Control and Enforcement. The new posts are mainly created for providing additional manpower to meet the operational needs of 24-hour customs clearance at Shenzhen Bay Control Point, strengthen the regulation of money service operators, step up investigation and prosecution of Customs-related money laundering offences, and perform other relevant support duties under Programme (1). The provision under this Programme is \$613.2 million higher than the revised estimate for 2019-20, in which \$474.2 million was operating expenses (including about \$87.4 million of salary expenditure on the new posts) and \$139 million was cash flow requirement for capital projects. The details of the 176 newly created posts are as follows:

D. J.	Number		
Rank	Posts to be created	Posts to be deleted	
Assistant Superintendent of Customs and Excise	1	-	
Senior Inspector of Customs and Excise	6	-	

Dank	Number		
Rank	Posts to be created	Posts to be deleted	
Inspector of Customs and Excise	17	-	
Chief Customs Officer	12	-	
Senior Customs Officer	55	-	
Customs Officer	35	-	
Chief Trade Controls Officer	1	-	
Senior Trade Controls Officer	6	-	
Trade Controls Officer	14	-	
Assistant Trade Controls Officer	20	-	
Executive Officer I	1	-	
Treasury Accountant	1	-	
Accounting Officer I	2	-	
Clerical Assistant	-	-1	
Special Driver	2	-	
Motor Driver	4	-	

	Total
Posts to be created	177
Posts to be deleted	-1
Net increase of posts	176

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0873)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (000) Operational expenses

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

The Customs and Excise Department (C&ED) indicates that the provision of \$5,083,794,000 under Subhead 000 Operational expenses represents an increase of \$610,269,000 (13.6%) over the revised estimate for 2019-20. This is mainly due to the additional requirement for the provision of customs clearance services at the Heung Yuen Wai Boundary Control Point, enhancing the effectiveness of Hong Kong's anti-money laundering and counter-terrorist financing regime, implementation of the statutory cooling-off period for beauty and fitness services consumer contracts and assuming the regulatory role for safety of non-telecommunication functions of mobile phones and other telecommunications consumer goods (both subject to the completion of the relevant legislative exercises) as well as the increased operating expenses. Will the Government provide this Committee with the details of the relevant work and a breakdown of the expenditure?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 16)

Reply:

C&ED will provide customs clearance services in support of the commissioning of the Heung Yuen Wai Boundary Control Point and the implementation of 24-hour customs clearance at the Shenzhen Bay Control Point. As regards enhancing the effectiveness of Hong Kong's anti-money laundering and counter-terrorist financing regime, C&ED will enhance its capability in financial investigation, forensic auditing, handling cases, etc. and strengthen the regulation of money service operators. Furthermore, the implementation of the statutory cooling-off period for beauty and fitness services consumer contracts and assumption of the regulatory role for safety of non-telecommunication functions of mobile phones and other telecommunications consumer goods will commence only upon completion of the relevant legislative exercises. In this regard, C&ED will carry out the preparatory work first.

The provision under Subhead 000 "Operational expenses" earmarked by C&ED for 2020-21 represents an increase of \$610,269,000 over the revised estimate for 2019-20. The increase in the provision includes the expenditure of \$343,282,000 on personal emoluments of staff and other related expenses, such as "Mandatory Provident Fund/Civil Service Provident Fund contribution", etc., and \$266,987,000 of departmental expenses and charges for providing a series of new/enhanced services in 2020-21.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0917)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

In 2020-21, the Customs and Excise Department (C&ED) will provide customs clearance services at Heung Yuen Wai Boundary Control Point (BCP) and provide 24-hour customs clearance services at Shenzhen Bay Control Point. Please inform this Committee of:

- 1. the date when Heung Yuen Wai BCP is expected to commence operation, the additional manpower required and the estimated expenditure involved;
- 2. with the current service hours of Shenzhen Bay Control Point being 6.30 a.m. to 12.00 midnight, when 24-hour customs clearance is expected to be implemented, the additional manpower required and the expenditure for implementing 24-hour customs clearance; and
- 3. the expected impact on other control points when 24-hour customs clearance services are provided at Shenzhen Bay Control Point.

Asked by: Hon YICK Chi-ming, Frankie (LegCo internal reference no.: 36)

Reply:

1. Construction of Heung Yuen Wai BCP was substantially completed in 2019. C&ED has also basically completed the installation and testing of equipment and is currently carrying out preparation work prior to overall commissioning according to plans. The Hong Kong Government will continue to liaise closely with the Guangdong Government to coordinate on the commissioning date of the control point and related arrangements. To meet the operational needs of Heung Yuen Wai BCP, C&ED will create a total of 264 posts, involving about \$115 million of salary expenditure:

Rank	Number
Assistant Superintendent of	2

Rank	Number
Customs and Excise	
Senior Inspector of Customs and Excise	8
Inspector of Customs and Excise	25
Chief Customs Officer	20
Senior Customs Officer	98
Customs Officer	103
Clerical Assistant	1
Special Driver	6
Motor Driver	1
Total:	264*

^{*}posts captured in the 2018-19 Estimates

2. Regarding the arrangements for the provision of 24-hour customs clearance services at Shenzhen Bay Control Point, the governments of both places have agreed after discussion to implement the relevant arrangements in phases in 2020. Such arrangements will be applicable to customs clearance of private cars initially and then extend to goods vehicles, with full implementation by the end of the year. In view of the latest developments of the coronavirus outbreak, the timetable for actual implementation will require further careful deliberation. In this connection, the HKSAR Government will engage the Shenzhen Municipal Government in further discussions. To meet the operational needs, C&ED will create a total of 82 posts, involving about \$36.87 million of salary expenditure. The details are as follows:

Rank	Number
Senior Inspector of Customs and Excise	3
Inspector of Customs and Excise	5
Chief Customs Officer	8
Senior Customs Officer	45
Customs Officer	19
Special Driver	2
Total:	82

3. C&ED will fully complement the planning of clearance facilities and adjustments thereof made by the governments of both places in order to provide highly efficient customs clearance services at various control points.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1479)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security/Secretary for Financial Services and the

Treasury/Secretary for Commerce and Economic Development

Question:

Under the Capital Account of the Customs and Excise Department (C&ED), there will be a significant increase from the revised estimate of \$86.8 million for 2019-20 to \$225.84 million in the estimated expenditure for 2020-21. What are the reasons? What are the additional and replacement plant, vehicles and equipment involved? What is the expenditure for each of these items? Regarding the Capital Account for 2019-20, the revised estimate is much lower than the approved estimate of \$218.47 million for 2019-20. What are the reasons?

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 8)

Reply:

Under Capital Account Subhead 603 "Plant, vehicles and equipment" of C&ED, the provision for 2020-21 will be higher than the revised estimate for 2019-20. This is mainly due to the increased cash flow requirement in 2020-21 to pay for the procurement of the following items approved in 2019-20 or earlier. The estimated expenditure for each of these items is as follows:

		Estimated
Item No.	Item No. Item Details	
nem no.	item Details	in 2020-21
		(\$ million)
801 & 802	Replacement of 2 mobile X-ray vehicle scanning systems for	41.122
	Shenzhen Bay Control Point	
803	Replacement and enhancement of equipment for Automatic	3.000
	Vehicle Clearance Support System for Goods Vehicles at	
	Lok Ma Chau Control Point, Man Kam To Control Point, Sha	
	Tau Kok Control Point and Shenzhen Bay Control Point	
804	Replacement and enhancement of closed circuit television	17.059
	system at Customs Headquarters Building	

		Estimated
Item No.	Itom Dotaile	Expenditure
	Item Details	in 2020-21
		(\$ million)
834 & 835	Replacement of 2 high speed pursuit crafts	12.000
882 & 883	Replacement of 2 mobile X-ray vehicle scanning systems for	3.000
	Kwai Chung Customhouse	

Under Capital Account Subhead 661 "Minor plant, vehicles and equipment (block vote)", the provision for 2020-21 will be higher than the revised estimate for 2019-20. This is mainly due to the increased estimated expenditure on procurement of new and replacement equipment. The additional new and replacement equipment to be procured in 2020-21 is as follows:

- (1) Replacement of 11 X-ray checkers for various control points;
- (2) Replacement of 10 desktop trace contraband detectors for various control points;
- (3) Replacement of 5 handheld trace contraband detectors for various control points;
- (4) Replacement of closed circuit television system for Shenzhen Bay Control Point;
- (5) Replacement and enhancement of closed circuit television systems of private car kiosks for various control points;
- (6) Replacement of closed circuit television system for Hong Kong-Macau Ferry Terminal;
- (7) Replacement of closed circuit television system for Terminals 1 and 2 of Asia Airfreight Terminal at Hong Kong International Airport;
- (8) Replacement and enhancement of closed circuit television system for Customs and Excise Department Tsing Yi Station;
- (9) Replacement of 3 thermal imager systems for Customs sector patrol launches;
- (10) Replacement of air-conditioning system for Terminal 2 of Asia Airfreight Terminal at Hong Kong International Airport;
- (11) Replacement of 1 electric cart for Hong Kong International Airport;
- (12) Replacement of 2 forklift trucks and procurement of 1 forklift truck for Containerized Cargo Examination Division of Ports and Maritime Command;
- (13) Replacement of closed circuit television system for Hong Kong Customs College;
- (14) Procurement of closed circuit television system for Customs and Excise Warehouse (New Territories);
- (15) Procurement of 3 handheld narcotics identifiers for Ports and Maritime Command and Customs Drug Investigation Bureau;
- (16) Procurement of video display systems and associated audio and lighting systems for Customs Headquarters Building;
- (17) Procurement of video walls and associated audio and lighting systems for Hong Kong Customs College;

- (18) Procurement of 5 remote-controlled small crafts for emergency relief for Ports and Maritime Command;
- (19) Procurement of 5 computed tomography scanning and inspection systems for various control points; and
- (20) Installation of 112 auto-detection devices on existing X-ray checkers for various control points.

The revised estimate of the Capital Account for 2019-20 is lower than the approved estimate for 2019-20, mainly because the awarded tender prices of individual items were lower than the original estimates and the cash flow requirements for different items were adjusted according to the procurement progress.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4220)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

1. Please provide the numbers of cases relating to organised drug syndicates and individual drug offenders detected by the Customs and Excise Department (C&ED) and the numbers of persons arrested in the past 5 years.

2. Please provide the numbers of drug manufacturing workshops and distribution centres cracked down by C&ED within Hong Kong in the past 5 years.

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 185)

Reply:

1. The numbers of drug trafficking cases detected and persons arrested by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of cases detected	249	218	205	225	245
Number of persons arrested	233	219	193	236	221

2. The numbers of drug manufacturing workshops and distribution centres cracked down by C&ED within Hong Kong in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Drug manufacturing workshops	1	2	5	5	3
Distribution centres	24	29	23	14	10

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4221)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

What were the numbers of staff deployed by the Customs and Excise Department (C&ED) and the actual expenditures involved in combating parallel traders in the past 5 years? Will the Department allocate additional resources in stepping up actions against parallel trade activities in 2020-21? If yes, what are the details and the estimated expenditure?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 186)

Reply:

In 2020-21, C&ED will continue to work closely with the Mainland Customs to tackle the parallel trade problem, including monitoring hotspots of such activities in order to gather intelligence to facilitate interception and enforcement actions by officers at boundary control points and other law enforcement agencies. The resources involved in the work above have been subsumed under the general operating expenditure. C&ED does not have a breakdown of the figures.

CONTROLLING OFFICER'S REPLY

SB827

(Question Serial No. 4223)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

1. Please provide the figures on the arrests made by C&ED in enforcing the Import and Export Ordinance at various control points in Hong Kong in the past 5 years. What is the estimated provision earmarked by C&ED for enforcing the Ordinance in 2020-2021?

2. Please set out in table form the quantities of the following items seized by C&ED in Hong Kong and the numbers of persons involved in the past 5 years.

		Narcotics	Firearms and ammunitions	Strategic commodities	Dutiable commodities	Articles infringing copyright	Articles infringing trade descriptions
2015-2016	Quantity						ous on pursue
	Number						
	of						
	persons involved						
2016-2017	Quantity						
	Number of persons involved						
2017-2018	Quantity						
	Number of persons involved						
2018-2019	Quantity						
	Number of persons involved						

		Narcotics	Firearms	Strategic	Dutiable	Articles	Articles
			and	commodities	commodities	infringing	infringing
			ammunitions			copyright	trade
							descriptions
2019-2020	Quantity						
	Number						
	of						
	persons						
	involved						

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 189)

Reply:

1. The numbers of persons arrested by C&ED for contravention of the Import and Export Ordinance in the past 5 years are as follows:

Year	Number of persons arrested
2015	4 590
2016	4 187
2017	4 173
2018	4 199
2019	4 192
Total:	21 341

Since the resources involved in enforcing the Import and Export Ordinance have been subsumed under the general operating expenditure, C&ED does not have a breakdown of the figures.

2. The items seized by C&ED were of various types and involved different measurement units. The details of the cases detected by C&ED in the past 5 years are as follows:

		Narcotics	Firearms and ammunitions	Strategic commodities	Dutiable commodities	Articles infringing copyright	Articles infringing trade descriptions
	Number of cases	752	68	34	17 300	118	1 098
2015	Number of persons arrested	364	12	0	10 717	159	906
	Number of cases	762	55	72	15 319	124	975
2016	Number of persons arrested	328	8	4	8 824	158	749
	Number of cases	952	45	75	15 368	115	990
2017	Number of persons arrested	326	14	6	8 384	145	752
	Number of cases	919	26	80	21 174	119	1 044
2018	Number of	393	9	0	13 472	143	774

		Narcotics	Firearms and ammunitions	Strategic commodities	Dutiable commodities	Articles infringing copyright	Articles infringing trade descriptions
	persons arrested						
	Number of cases	826	27	106	23 996	101	1 000
2019*	Number of persons arrested	385	7	1	18 005	117	695

^{*} Figures for 2019 are subject to adjustment.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4908)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Regarding the work in relation to the Code on Access to Information (the Code), will the Government advise this Committee of the following:

1) Concerning the requests for information under the Code received by the Customs and Excise Department (C&ED) from October 2018 to present for which only some of the required information has been provided, please state in table form: (i) the content of the requests for which only some of the required information has been provided; (ii) the reasons for providing some of the information only; (iii) whether the decision on withholding some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision on withholding some of the information was made subject to a "harm or prejudice test", i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application)? If yes, please provide the details.

From October to December 2018

(i) Content of	(ii) Reasons	(iii) Whether the	(iv) Whether the decision
the requests	for providing	decision on	on withholding some of
for which only	some of the	withholding some of	the information was made
some of the	information	the information was	subject to a "harm or
required	only	made at the	prejudice test", i.e.
information		directorate (D1 or	whether the public interest
was provided		D2) level (according	in disclosure of such
		to paragraph 1.8.2 of	information outweighs any
		the Guidelines on	harm or prejudice that
		Interpretation and	could result from
		Application)	disclosure (according to
			paragraph 2.1.1 of the

	Guidelines on
	Interpretation and
	Application). If yes,
	please provide the details.

2019

(i) Content of	(ii) Reasons	(iii) Whether the	(iv) Whether the decision
the requests for	for providing	decision on	on withholding some of
which only	some of the	withholding some of	the information was made
some of the	information	the information was	subject to a "harm or
required	only	made at the	prejudice test", i.e.
information		directorate (D1 or	whether the public interest
was provided		D2) level (according	in disclosure of such
		to paragraph 1.8.2 of	information outweighs any
		the Guidelines on	harm or prejudice that
		Interpretation and	could result from
		Application)	disclosure (according to
			paragraph 2.1.1 of the
			Guidelines on
			Interpretation and
			Application). If yes,
			please provide the details.

2) Concerning the requests for information under the Code received by C&ED from October 2018 to present for which the required information has not been provided, please state in table form: (i) the content of the requests refused; (ii) the reasons for refusal; (iii) whether the decision on withholding the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision on withholding the information was made subject to a "harm or prejudice test", i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application)? If yes, please provide the details.

From October to December 2018

(i) Content of	(ii) Reasons	(iii) Whether the	(iv) Whether the decision
the requests	for refusal	decision on	on withholding the
refused		withholding the	information was made
		information was	subject to a "harm or
		made at the	prejudice test", i.e.
		directorate (D1 or	whether the public interest
		D2) level (according	in disclosure of such
		to paragraph 1.8.2 of	information outweighs any
		the Guidelines on	harm or prejudice that
		Interpretation and	could result from

	Application)	disclosure (according to
		paragraph 2.1.1 of the
		Guidelines on
		Interpretation and
		Application). If yes,
		please provide the details.

2019

(i) Content of	(ii) Reasons	(iii) Whether the	(iv) Whether the decision
the requests	for refusal	decision on	on withholding the
refused		withholding the	information was made
		information was	subject to a "harm or
		made at the	prejudice test", i.e.
		directorate (D1 or	whether the public interest
		D2) level (according	in disclosure of such
		to paragraph 1.8.2 of	information outweighs any
		the Guidelines on	harm or prejudice that
		Interpretation and	could result from
		Application)	disclosure (according to
			paragraph 2.1.1 of the
			Guidelines on
			Interpretation and
			Application). If yes,
			please provide the details.

3) Any person who believes that a department has failed to comply with any provision of the Code may ask the department to review the situation. Please advise this Committee of: in each of the past 5 years, (i) the number of review cases received; (ii) the number of cases, among the review cases received in the year, in which further information was disclosed after review; (iii) whether the decisions on review were made at the directorate (D1 or D2) level.

Year in which	(i) Number of	(ii) Number of	(iii) Whether the decisions
review cases were received	review cases received	cases, among the review cases received in the year, in which further information was disclosed after	on review were made at the directorate (D1 or D2) level
		review	
2015			
2016			
2017			
2018			
2019			

- 4) With reference to the target response times set out in paragraphs 1.16.1 to 1.19.1 of the Guidelines on Interpretation and Application of the Code, please advise this Committee of the following information by year in table form (with text descriptions).
- (a) Within 10 days from date of receipt of a written request:

	Number of	Number of	Number of	Number of	Number of
	requests for	requests	requests for	requests for	applications
	which the	involving	which the	information	which the
	information	third party	information	which were	applicants
	requested	information	requested	refused	indicated
	was	for which	could not	under the	that they
	provided	the	be provided	exemption	did not
		information	since the	provisions	wish to
		requested	requests	in Part 2 of	proceed
		could not	had to be	the Code	with and
		be provided	transferred		withdrew
			to another		since they
			department		did not
			which held		accept the
			the		charge
			information		
			under		
			request		
2020					
2019					
2018					
2017					
2016					

Within 10 to 21 days from date of receipt of a written request:

Number of	Number of	Number of	Number of	Number of
requests for	requests	requests for	requests for	applications
which the	involving	which the	information	which the
information	third party	information	which were	applicants
requested	information	requested	refused	indicated
was	for which	could not	under the	that they
provided	the	be provided	exemption	did not
	information	since the	provisions	wish to
	requested	requests	in Part 2 of	proceed
	could not	had to be	the Code	with and
	be provided	transferred		withdrew
		to another		since they
		department		did not
		which held		accept the
		the		charge
		information		
		under		

		request	
2020			
2019			
2018			
2017			
2016			

Within 21 to 51 days from date of receipt of a written request:

	Number of	Number of	Number of	Number of	Number of
	requests for	requests	requests for	requests for	applications
	which the	involving	which the	information	which the
	information	third party	information	which were	applicants
	requested	information	requested	refused	indicated
	was	for which	could not	under the	that they
	provided	the	be provided	exemption	did not
		information	since the	provisions	wish to
		requested	requests	in Part 2 of	proceed
		could not	had to be	the Code	with and
		be provided	transferred		withdrew
			to another		since they
			department		did not
			which held		accept the
			the		charge
			information		
			under		
			request		
2020					
2019					
2018					
2017					
2016					

(b) Cases in which information could not be provided within 21 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

(c) Cases in which information could not be provided within 51 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

5) Please state in table form the number of those, among the cases in which requests for information were refused under the exemption provisions in Part 2 of the Code, on

which the Privacy Commissioner for Personal Data was consulted when they were being handled in the past 5 years. For cases on which advice had been sought, was it fully accepted in the end? For cases where the advice of the Privacy Commissioner for Personal Data was not accepted or was only partially accepted, what are the reasons?

Date	Subject	Particular	Whether the	Reasons for
		exemption	advice of the	not accepting
		provision in	Privacy	or only
		Part 2 of the	Commissioner	partially
		Code under	for Personal	accepting the
		which requests	Data was fully	advice of the
		for	accepted	Privacy
		information	_	Commissioner
		were refused		for Personal
				Data

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 478)

Reply:

- 1. Concerning the requests for information under the Code received by C&ED from October 2018 to September 2019, there were 4 requests for which only some of the required information was provided, and 3 requests for information were refused by C&ED.
- 2. Regarding the aforesaid 7 requests, C&ED refused to provide the applicants with the information relating to issues such as tendering, recruitment and applications for permits according to Paragraph 2.6 "Law enforcement, legal proceedings and public safety", Paragraph 2.11 "Public employment and public appointments", Paragraph 2.14 "Third party information", Paragraph 2.16 "Business affairs" and Paragraph 2.18 "Legal restrictions" of the Code. In these cases, the relevant decision was made at the directorate (D2) level, and the "harm or prejudice test" was conducted, showing that the harm or prejudice that could result outweighed the public interest in disclosure of the information.
- 3. C&ED did not receive any review cases from 2015 to September 2019.
- 4. From 2016 to September 2019, the numbers of written requests for information received by C&ED for which the information requested could be provided within 10 days, within 11 to 21 days, and within 22 to 51 days from the date of receipt of a request were 194, 38 and 11 respectively. Of these, 1 request was transferred to another department which held the information under request. In addition, the numbers of requests for which the information requested could not be provided by C&ED on the grounds that third party information was involved and that the requests fell under the exemption provisions in Part 2 of the Code were 2 and 7 respectively. No applicant withdrew his/her request because of the charge.

- 5. From 2016 to September 2019, the main reasons for which the information requested could not be provided by C&ED within 21 days from the date of receipt of a request were that the information under request was complicated and legal advice had to be sought from the Department of Justice, thus requiring time for processing.
- 6. From 2016 to September 2019, there were no cases in which the information requested could not be provided by C&ED within 51 days from the date of receipt of a request.
- 7. From 2016 to September 2019, C&ED did not consult the Privacy Commissioner for Personal Data on cases in which requests for information were refused.

- End -

Reply Serial No.

CONTROLLING OFFICER'S REPLY

SB829

(Question Serial No. 5272)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Regarding the masks for use by your Department, please provide:

- 1. the amount of current stock;
- 2. the amounts of monthly stock in the past 5 years;
- 3. the amounts produced by the Correctional Services Department (CSD) in the monthly stock in the past 5 years;
- 4. the expenditures incurred in the past 5 years;
- 5. the amounts of monthly consumption in the past 5 years;
- 6. the amounts of procurement in the past 5 years;
- 7. the amounts depleted due to storage problems in the past 5 years.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1877)

Reply:

The Customs and Excise Department (C&ED) has collected masks (produced by CSD) from the Government Logistics Department (GLD) and procured masks from the market for distribution to colleagues for use. C&ED has not consolidated the information on the masks from different sources distributed to individual officers.

There is a global upsurge in demand for personal protective equipment (PPE), and the procurement work of the HKSAR Government is facing fierce competition. In order not to weaken the bargaining power of GLD and various departments in sourcing PPE, the HKSAR Government considers it inappropriate at this stage to disclose further information of specific departments regarding PPE, such as the stock in the past few years and at present, the quantity procured and expenditures incurred, and the consumption, etc.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

SB830

(Question Serial No. 5767)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please advise this Committee of the following:

- (1) whether the Department has received and used CSI masks produced by the Correctional Services Department (CSD); if yes, what are the details; if no, what are the reasons; and
- (2) if CSI masks produced by CSD have been received and used, the respective quantities of CSI masks received and used in each of the past 5 years.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 594)

Reply:

The Customs and Excise Department (C&ED) has collected masks (produced by CSD) from the Government Logistics Department (GLD) and procured masks from the market for distribution to colleagues for use. C&ED has not consolidated the information on the masks from different sources distributed to individual officers.

There is a global upsurge in demand for personal protective equipment (PPE), and the procurement work of the HKSAR Government is facing fierce competition. In order not to weaken the bargaining power of GLD and various departments in sourcing PPE, the HKSAR Government considers it inappropriate at this stage to disclose further information of specific departments regarding PPE, such as the stock in the past few years and at present, the quantity procured and expenditures incurred, and the consumption, etc.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

SB831

(Question Serial No. 4526)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Regarding the combat against parallel trading activities:

- 1. What were the regular and blitz enforcement operations conducted by the Government and the numbers of these operations in the past 3 years? Please list the numbers by district.
- 2. What were the respective numbers of interceptions, prosecutions and convictions, and the types of goods involved?
- 3. What were the numbers of persons arrested, prosecuted and convicted for suspected breach of condition of stay by engaging in parallel trading activities in the past 3 years? How many Hong Kong residents, Mainland visitors and visitors of other nationalities were involved respectively? Please list the numbers by control point.
- 4. What were the top 3 types of parallel goods intercepted at control points in the past 3 years?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 107)

Reply:

The Customs and Excise Department (C&ED) has been working closely with the Mainland Customs to combat parallel trading activities, including monitoring hotspots of such activities in order to gather intelligence to facilitate interception and enforcement actions by officers at boundary control points and other law enforcement agencies. In the past 3 years, C&ED and the Mainland Customs detected a total of 25 297 cases in joint operations against smuggling activities involving parallel traders. The relevant figures are as follows:

	2017	2018	2019
Number of cases detected by the Mainland Customs	13 336	6 610	5 226
Total value of seizures (\$ million)	91.81	61.87	30.82

Number of cases detected by C&ED ⁷	45	40	40
Total value of seizures (\$ million)	0.05	0.26	0.1

Under the Import and Export Ordinance (Cap. 60), it is an offence to import or export any unmanifested cargo. In this regard, cargo does not include articles carried, and imported or exported by passengers on board a vessel, aircraft or vehicle. Unless a passenger (whether he/she is a Hong Kong resident or a visitor) carries prohibited or controlled items, parallel trading activities per se are not illegal.

- End -

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⁷ Cases in respect of contravention of the export control of powdered formulae detected by C&ED are excluded.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4834)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please provide the figures on the arrests made by the Customs and Excise Department (C&ED) in enforcing the Import and Export Ordinance at various control points in each of the past 5 years.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 556)

Reply:

The number of persons arrested by C&ED for contravention of the Import and Export Ordinance in the past 5 years are as follows:

Year	Number of persons arrested
2015	4 590
2016	4 187
2017	4 173
2018	4 199
2019	4 192
Total:	21 341

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4835)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Regarding the combating of parallel traders in each of the past 5 years, please inform this Committee of the following:

- 1. the total value of parallel goods seized at each control point, and a breakdown of the figures by status of residence/stay of the traders concerned, i.e. holders of Hong Kong Permanent Identity Card, non-permanent residents, holders of Two-way Exit Permit and others;
- 2. the number of persons arrested in relation to parallel trading activities each year;
- 3. the number of persons prosecuted in relation to parallel trading activities each year; and
- 4. the number of persons convicted in relation to parallel trading activities each year.

<u>Asked by</u>: Hon KWOK Ka-ki (LegCo internal reference no.: 557)

Reply:

The Customs and Excise Department (C&ED) has been working closely with the Mainland Customs to combat parallel trading activities, including monitoring hotspots of such activities in order to gather intelligence to facilitate interception and enforcement actions by officers at boundary control points and other law enforcement agencies. In the past 5 years, C&ED and the Mainland Customs detected a total of 34 720 cases in joint operations against smuggling activities involving parallel traders. The relevant figures are as follows:

	2015	2016	2017	2018	2019
Number of cases detected by the Mainland Customs	240	8 980	13 336	6 610	5 226

	2015	2016	2017	2018	2019
	240	8 981	13 336	6 610	5 232
Number of newsons	Hong Kong resident: 148	Hong Kong resident: 4 659	Hong Kong resident: 6 436	Hong Kong resident: 2 043	Hong Kong resident: 846
Number of persons involved	Mainland	Mainland	Mainland	Mainland	Mainland
mvorveu	resident:	resident:	resident:	resident:	resident:
	91	4 320	6 900	4 556	4 386
	Others:	Others:	Others:	Others:	Others:
Total value of			<u> </u>		<u> </u>
seizures	8.35	73.31	91.81	61.87	30.82
(\$ million)					
Number of cases detected by C&ED ⁸	104	99	45	40	40
	104	101	45	40	40
Number of persons involved	Hong Kong resident: 83	Hong Kong resident: 80	Hong Kong resident: 35	Hong Kong resident: 28	Hong Kong resident: 23
	Mainland resident: 21	Mainland resident: 21	Mainland resident:	Mainland resident: 12	Mainland resident:
Total value of					
seizures	0.24	0.28	0.05	0.26	0.1
(\$ million)					

Under the Import and Export Ordinance (Cap. 60), it is an offence to import or export any unmanifested cargo. In this regard, cargo does not include articles carried, and imported or exported by passengers on board a vessel, aircraft or vehicle. Unless a passenger (whether he/she is a Hong Kong resident or a visitor) carries prohibited or controlled items, parallel trading activities per se are not illegal.

- End -

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⁸ Cases in respect of contravention of the export control of powdered formulae detected by C&ED are excluded.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4918)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please provide the figures on the arrests made by the Customs and Excise Department (C&ED) in enforcing the Import and Export Ordinance at various control points in the past 5 years. What is the estimated provision earmarked by C&ED for enforcing the Ordinance in 2020-21?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 558)

Reply:

The number of persons arrested by C&ED for contravention of the Import and Export Ordinance in the past 5 years are as follows:

Year	Number of persons arrested
2015	4 590
2016	4 187
2017	4 173
2018	4 199
2019	4 192
Total:	21 341

Since the resources involved in enforcing the Import and Export Ordinance have been subsumed under the general operating expenditure, C&ED does not have a breakdown of the figures.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4919)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please provide the numbers of cases relating to organised drug syndicates and individual drug offenders detected by the Customs and Excise Department (C&ED) and the numbers of persons arrested in the past 5 years.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 559)

Reply:

The numbers of drug trafficking cases detected and persons arrested by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of cases detected	249	218	205	225	245
Number of persons arrested	233	219	193	236	221

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4920)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please provide the numbers of drug manufacturing workshops and distribution centres cracked down by the Customs and Excise Department (C&ED) within Hong Kong in the past 5 years, and the numbers of persons arrested, prosecuted and convicted in relation to the crackdown on these workshops.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 560)

Reply:

The numbers of drug manufacturing workshops and distribution centres cracked down by C&ED within Hong Kong in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Drug manufacturing workshops	1	2	5	5	3
Distribution centres	24	29	23	14	10

The numbers of persons arrested, prosecuted and convicted in cases involving drug manufacturing workshops cracked down by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of persons arrested	1	3	7	10	3
Number of persons prosecuted (Note)	1	2	7	9	3
Number of persons convicted (Note)	0	1	2	5	4

Note: the number of persons prosecuted or convicted in the year

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4921)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

Please tabulate by every six months the quantities of the following items seized by the Customs and Excise Department (C&ED) in Hong Kong and the numbers of persons involved in the past 5 years:

Narcotics

Firearms and ammunitions

Strategic commodities

Dutiable commodities

Articles infringing copyright

Articles infringing trade descriptions

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 561)

Reply:

The items seized by C&ED were of various types and involved different measurement units. The details of the cases detected by C&ED in the past 5 years are as follows:

		Narcotics	Firearms and ammunitions	Strategic commodities	Dutiable commodities	convriant	
January to	Number of cases	420	33	30	8 761	41	541
June 2015	Number of persons arrested	177	8	0	5 330	55	424
July to December 2015	Number of cases	332	35	4	8 539	77	557

		Narcotics	Firearms and ammunitions		Dutiable commodities	Articles infringing copyright	Articles infringing trade descriptions
	Number of persons arrested	187	4	0	5 387	104	482
January to	Number of cases	356	31	37	7 839	53	443
June 2016	Number of persons arrested	160	2	0	4 394	61	362
July to	Number of cases	406	24	35	7 480	71	532
December 2016	Number of persons arrested	168	6	4	4 430	97	387
January to	Number of cases	324	29	37	6 818	60	469
June 2017	Number of persons arrested	162	7	1	3 400	70	334
July to	Number of cases	628	16	38	8 550	55	521
December 2017	Number of persons arrested	164	7	5	4 984	75	418
January to	Number of cases	496	14	38	10 647	53	515
June 2018	Number of persons arrested	185	7	0	6 177	65	341
July to	Number of cases	423	12	42	10 527	66	529
December 2018	Number of persons arrested	208	2	0	7 295	78	433
January to	Number of cases	396	13	31	12 539	54	549
June 2019*	Number of persons arrested	200	4	0	9 213	58	372
July to December 2019*	Number of cases	430	14	75	11 457	47	451

	Narcotics	Firearms and ammunitions		Dutiable commodities	Articles infringing copyright	Articles infringing trade descriptions
Number of persons arrested	185	3	1	8 792	59	323

^{*} Figures for 2019 are subject to adjustment.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4922)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Commerce and Economic

Development

Question:

Regarding the firearms and ammunitions and strategic commodities seized in the past 3 years, please advise this Committee of the following:

The categories and quantities of the firearms and ammunitions and strategic commodities seized (please provide a breakdown by year); and

Were there any changes to the categories of items listed as strategic commodities in the past 3 years? If yes, please advise this Committee of the changes (including the categories added and deleted) and the dates of the changes.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 562)

Reply:

The firearms and ammunitions and strategic commodities seized by the Customs and Excise Department (C&ED) were of various types and involved different measurement units. The details of the relevant cases detected by C&ED in the past 3 years are as follows:

		Firearms and ammunitions	Strategic commodities
	2017	45	75
Number of cases	2018	26	80
	2019	27	106

^{*} Figures for 2019 are subject to adjustment.

Hong Kong's control lists on strategic commodities (i.e. the Schedules to the Import and Export (Strategic Commodities) Regulations (Cap. 60G)) are drawn up on the basis of the control standards adopted by various international non-proliferation regimes and conventions¹. Strategic commodities under control comprise munitions (such as firearms, ammunition, explosives, etc.) and 10 categories of industrial goods which can be converted to military use (i.e. dual-use goods), such as chemicals, telecommunications and information security products, etc. The Trade and Industry Department updates Hong Kong's control lists on strategic commodities from time to time with reference to the promulgation by the relevant international regimes and conventions, and the last revision was made in 2017. Please refer to the Legislative Council Brief dated 22 March 2017 for details:

https://www.legco.gov.hk/yr16-17/english/subleg/brief/2017ln042_brf.pdf

¹ The relevant regimes and conventions are the Chemical Weapons Convention, the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3833)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

The Department expects a net increase of 293 posts in 2020-21. Please provide specific details about the staff establishment of these posts (the number of posts, their respective ranks and functions, remuneration packages and benefits as well as areas of work). What is the estimated expenditure on the recruitment exercise?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 75)

Reply:

In 2020-21, there is a net increase of 293 posts in the Customs and Excise Department (C&ED). The new posts are mainly created for providing additional manpower to meet the operational needs of 24-hour customs clearance at Shenzhen Bay Control Point, strengthen the regulation of money service operators, step up investigation and prosecution of Customs-related money laundering offences, and carry out research support and preparatory work for the proposed statutory cooling-off period for beauty and fitness services consumer contracts. These new posts also include those created for implementing the statutory cooling-off period and assuming the regulatory role for safety of non-telecommunication functions of mobile phones and other telecommunications consumer goods. The creation of these posts is subject to the completion of the relevant legislative exercises. The details of such posts are as follows:

	Nun	nber	Monthly salary range
Rank	Posts to be created	Posts to be deleted	(\$) (since 1 April 2019)
Assistant Commissioner of Customs and Excise	1	-	179,350 – 196,050
Superintendent of Customs and Excise	1	-	117,510 – 131,475
Assistant Superintendent	4	-	91,615 – 110,110

	Nun	ıber	Monthly salary range		
Rank	Posts to be	Posts to be	(\$)		
	created	deleted	(since 1 April 2019)		
of Customs and Excise					
Senior Inspector of Customs and Excise	15	-	76,095 – 88,250		
Inspector of Customs and Excise	28	-	36,655 – 75,135		
Chief Customs Officer	17	-	40,955 – 48,395		
Senior Customs Officer	73	-	31,910 – 40,955		
Customs Officer	81	-	21,150 – 31,005		
Chief Trade Controls Officer	2	-	74,515 – 110,170		
Senior Trade Controls Officer	10	-	61,415 – 73,775		
Trade Controls Officer	21	-	44,555 – 58,635		
Assistant Trade Controls Officer	29	-	24,070 – 42,545		
Executive Officer I	1	-	58,635 – 73,775		
Treasury Accountant	1	-	64,270 – 110,170		
Accounting Officer I	2	-	58,635 – 73,775		
Clerical Assistant	-	-1	13,735 – 24,070		
Special Driver	2	-	21,340 – 24,070		
Motor Driver	4	-	17,675 – 21,340		
Electronics Engineer / Assistant Electronics Engineer	2	-	70,465 – 110,170/ 36,765 – 55,995		
<i>U</i>	Total				
Posts to be created	294				
Posts to be deleted	-1				
Net increase of posts	293				

The fringe benefits of the above posts include paid leave, medical and dental treatments, and where appropriate, assistance in housing. In general, recruitment exercises are carried out by officers responsible for grade management and personnel matters as part of their routine duties, C&ED therefore cannot separately list out the expenditure involved.

Reply Serial No.

SB840

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6540)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (661) Minor plant, vehicles and equipment (block vote)

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

The provision under Subhead 661 Minor plant, vehicles and equipment (block vote) for this year represents an increase of 321% over the revised estimate for 2019-2020. This is mainly due to the increased requirement for new and replacement equipment. In this regard, please inform this Committee of:

- 1. the reasons for procurement of new equipment, the types of new equipment, the deployment of staff for using the new equipment and the expenditures involved; and
- 2. the reasons for replacement of equipment and the expenditures involved, the years in which the same types of equipment were replaced last time and the amounts involved, as well as the expected time of commissioning of the new equipment.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 215)

Reply:

To enhance the enforcement capability of the Customs and Excise Department (C&ED) and the effectiveness of customs clearance, C&ED procures new equipment in a timely manner or replaces ageing systems and equipment which are uneconomical for continued maintenance, for use by frontline officers. The details of the relevant items in 2020-21 are as follows:

- (1) Replacement of 11 X-ray checkers for various control points;
- (2) Replacement of 10 desktop trace contraband detectors for various control points;
- (3) Replacement of 5 handheld trace contraband detectors for various control points;
- (4) Replacement of closed circuit television system for Shenzhen Bay Control Point;
- (5) Replacement and enhancement of closed circuit television systems of private car kiosks for various control points;

- (6) Replacement of closed circuit television system for Hong Kong-Macau Ferry Terminal;
- (7) Replacement of closed circuit television system for Terminals 1 and 2 of Asia Airfreight Terminal at Hong Kong International Airport;
- (8) Replacement and enhancement of closed circuit television system for Customs and Excise Department Tsing Yi Station;
- (9) Replacement of 3 thermal imager systems for Customs sector patrol launches;
- (10) Replacement of air-conditioning system for Terminal 2 of Asia Airfreight Terminal at Hong Kong International Airport;
- (11) Replacement of 1 electric cart for Hong Kong International Airport;
- (12) Replacement of 2 forklift trucks and procurement of 1 forklift truck for Containerized Cargo Examination Division of Ports and Maritime Command;
- (13) Replacement of closed circuit television system for Hong Kong Customs College;
- (14) Procurement of closed circuit television system for Customs and Excise Warehouse (New Territories);
- (15) Procurement of 3 handheld narcotics identifiers for Ports and Maritime Command and Customs Drug Investigation Bureau;
- (16) Procurement of video display systems and associated audio and lighting systems for Customs Headquarters Building;
- (17) Procurement of video walls and associated audio and lighting systems for Hong Kong Customs College;
- (18) Procurement of 5 remote-controlled small crafts for emergency relief for Ports and Maritime Command:
- (19) Procurement of 5 computed tomography scanning and inspection systems for various control points; and
- (20) Installation of 112 auto-detection devices on existing X-ray checkers for various control points.

The cash flow requirements for individual items will be adjusted according to the procurement progress.

Reply Serial No.

SB841

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6547)

Head: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (2) Anti-narcotics Investigation

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security

Question:

Please tabulate the following information in detail:

- 1. the names of all the dangerous drugs seized by the Customs and Excise Department (C&ED) in 2019-20; and
- 2. the nationality distribution of the drug traffickers in 2019-20.

Name of drug	Kilogram

Nationality of drug traffickers	Percentage against the total number of arrested drug traffickers

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 216)

Reply:

1. In 2019, the dangerous drugs seized by C&ED and the respective quantities are as follows:

Type of Dangerous Drug	Kilogram (kg) / Tablet
Cocaine	628.9 kg

Type of Dangerous Drug	Kilogram (kg) / Tablet
Ketamine	361.5 kg
Amphetamine	290.4 kg and 240 tablets
Cannabis	266 kg
Methamphetamine (commonly known as	251.6 kg
"Ice")	
Gamma-butyrolactone	186.2 kg
Khat	116.1 kg
Synthetic cathinones (commonly known as	79.1 kg
"Bath salts")	
MDMA (commonly known as "Ecstasy")	33.2 kg and 35 673 tablets
Heroin	20 kg
Other dangerous drugs	52.4 kg and 43 056 tablets

2. In 2019, the distribution of nationalities of persons arrested by C&ED for drug trafficking cases is as follows:

		Percentage of the total number of
		arrested persons
Chinese	Hong Kong residents	58% (128 persons)
Cimicse	Mainland/Taiwan/Macao residents	11% (24 persons)
Other cou	intries	31% (69 persons)

Reply Serial No.

CONTROLLING OFFICER'S REPLY

SB842

(Question Serial No. 6704)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (002) Allowances

<u>Programme</u>: Not specified

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Security / Secretary for Financial Services and the

Treasury / Secretary for Commerce and Economic Development

Question:

Regarding the allocation of Disciplined Services Quarters (DSQs) to staff of the Customs and Excise Department (C&ED), please provide the following information:

(1) Please tabulate (i) the number of C&ED staff allocated with DSQs and (ii) its percentage in the total number of C&ED staff, in the financial year 2019-20.

(i) Number of C&ED staff allocated	(ii) Percentage in the total number of
with DSQs	C&ED staff

(2) Please tabulate (i) the projected number of C&ED staff to be allocated with DSQs and (ii) its percentage in the total number of C&ED staff, in the financial year 2020-21.

(i) Projected number of C&ED staff to	(ii) Percentage in the total number of
be allocated with DSQs	C&ED staff

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 239)

Reply:

It is the Government's policy to provide Disciplined Services Quarters (DSQs) for married staff of disciplined services, subject to the availability of resources. The Customs and Excise Department (C&ED) understands the concerns of disciplined services staff on the shortfall of DSQs, and is committed to expediting the progress of different DSQ projects so as to alleviate the shortfall.

(1) (i) The number of C&ED staff allocated with DSQs and (ii) its percentage in the total number of eligible disciplined services staff in the Department, as at 1 March 2020, are tabulated as follows:

(i) Number of disciplined services staff allocated with DSQs	(ii) Percentage in the total number of eligible disciplined services staff in
	the Department
1 721	67%

(2) (i) The number of C&ED staff to be allocated with DSQs as projected by C&ED and (ii) its percentage in the total number of eligible disciplined services staff in the Department, as at 31 March 2021, are tabulated as follows:

(i) Projected number of disciplined services staff to be allocated with	(ii) Percentage in the total number of eligible disciplined services staff in
DSQs	the Department
1 724	67%

CONTROLLING OFFICER'S REPLY

CEDB(CIT)224

(Question Serial No. 4209)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (000) Operational expenses

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

What measures does the Customs and Excise Department (C&ED) currently take to tackle online infringing activities, such as illegal downloading of resources and streaming services provided by piracy websites? How much manpower and resources are involved? What were the results over the past five years?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 174)

Reply:

C&ED has been closely monitoring the latest trend of intellectual property rights (IPR) infringing activities on the Internet and the related technology crimes, and conducts timely review of the strategy and effectiveness of its enforcement work. Over the past few years, C&ED has, through redeployment of internal resources, set up three dedicated teams to combat online IPR infringing activities and handle the relevant enforcement work; established the "Electronic Crime Investigation Centre" to enhance the capabilities of dedicated officers in online investigation and evidence collection; and developed various online monitoring systems to better monitor and combat online IPR infringing activities. One of such systems is the Big Data Analytics System launched at the end of 2017, which can analyse mass information on different Internet platforms for more effective surveillance on infringing activities and their evolving trend. In 2019-20, there was a total of 45 C&ED officers dedicated to the relevant work, involving a salary expenditure of about \$21.13 million.

Details of online IPR infringement cases detected by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of cases	200	201	202	207	203
Number of persons arrested	248	227	242	246*	240
Total value of seizures (mostly clothing, watches and accessories)	\$3 million	\$1.8 million	\$2.6 million	\$3.5 million	\$2.8 million

^{*} Updated figure

Apart from combating the online sale of infringing goods, C&ED also endeavours to combat the sale of suspected illicit TV set-top boxes so as to curb infringing acts of watching pay TV programmes for free through such devices. In December 2017, C&ED made successful prosecution in an infringing case involving illicit TV set-top boxes and applications. The syndicate mastermind and two other defendants were sentenced to imprisonment ranging from 21 to 27 months, which is the heaviest penalty ever for Internet piracy in Hong Kong. The rulings and sentences send a strong deterrent to similar piracy activities and are significant for the enforcement work against Internet piracy. Apart from stepping up publicity on the above case, C&ED also conducts patrols against infringing activities in various districts from time to time and will continue to take enforcement actions against the sale of suspected illicit TV set-top boxes.

C&ED will continue its endeavours to combat online infringing activities and maintain close collaboration with copyright owners. Upon detection of any suspicious infringing activities or receipt of any related reports, C&ED will contact the copyright owners as soon as possible to confirm whether any criminal infringement is involved and take appropriate actions.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)225

(Question Serial No. 4218)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

1. Please provide the estimated expenditure and number of staff involved in the implementation of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 by the Customs and Excise Department (C&ED), the Commerce and Economic Development Bureau and other parties concerned in 2020-2021.

2. In the past 5 years, what were the actual expenditure, number of staff and number of prosecutions involved in the investigation of false claims on health products by C&ED? In 2020-2021, what are the specific amount of expenditure and number of staff to be involved in the investigation of false claims on health products by C&ED?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 183)

Reply:

In 2020-21, a total of 237 C&ED officers will be responsible for the enforcement of the Trade Descriptions Ordinance (TDO) by handling reporting, investigation and relevant enforcement work related to the TDO, which will involve an expenditure of about \$130 million. It is difficult to quantify the manpower and expenditure involved by category of goods separately.

In the past 5 years, C&ED prosecuted 8 companies and 3 persons for suspected contravention of the TDO regarding false trade descriptions on health products.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)226

(Question Serial No. 4219)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

1. In the past 5 years, how many cases relating to online selling of intellectual property rights (IPR) infringing goods were detected by the Customs and Excise Department (C&ED)? What were the values and types of the goods? How many persons were involved?

- 2. How many IPR infringement cases were received and being investigated in the past 5 years? How many investigations related to IPR infringement cases were completed in the past 5 years? What are the estimated number of staff and expenditure involved in the investigation of IPR infringement cases in 2020-2021?
- 3. What are the estimates of C&ED for upgrading its capability in the investigation of Internet and electronic crimes relating to IPR infringement in 2020-2021?
- 4. What are the estimates of C&ED for promoting public and traders' awareness of IPR and consumer protection legislation through publicity programmes in 2020-2021?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 184)

Reply:

Details of online IPR infringement cases detected by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of cases	200	201	202	207	203
Number of persons arrested	248	227	242	246*	240
Total value of seizures (mostly clothing, watches and accessories)	\$3 million	\$1.8 million	\$2.6 million	\$3.5 million	\$2.8 million

^{*} Updated figure

In 2020-21, a total of 190 C&ED officers will be deployed for the prevention and detection of IPR offences, involving a salary expenditure of around \$91.34 million. The numbers of cases investigated by C&ED in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of cases filed for	1 892	1 599	1 606	1 782	2 104
investigation					
Number of investigations	1 577	1 546	1 540	1 448	1 710
completed					

C&ED has been closely monitoring and taking vigorous enforcement actions against IPR infringing activities on the Internet and the related electronic crimes. In 2019-20, there were a total of 45 C&ED officers dedicated to the relevant work, involving a salary expenditure of around \$21.13 million. In 2020-21, the resources and manpower devoted by C&ED to the relevant work will be similar to the existing level, and C&ED will continue to take action against IPR offences through flexible deployment of existing resources and manpower.

C&ED is committed to enhancing the public's understanding of IPR protection and consumer rights through various channels, including seminars and thematic talks organised in collaboration with the Intellectual Property Department, the Consumer Council, industry associations, major chambers of commerce and relevant Government departments from time to time. In 2020-21, C&ED will continue the work in this area. Since the expenditure involved has been subsumed within the Department's provision, it is difficult to quantify such expenditure separately.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)227

(Question Serial No. 6648)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (5) Trade Controls

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

Will the Government advise this Committee of the numbers of Hong Kong residents who contravened the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296A) for bringing rice exceeding 15 kilograms into Hong Kong in the past 10 years and the amounts of fines involved?

Year	Number of cases	Amount of fines
2010		
2011		
2012		
2013		
2014		
2015		
2016		
2017		
2018		
2019		

Asked by: Hon CHU Hoi-dick (LegCo internal reference no.: 2041)

Reply:

In the past 5 years, the relevant figures on prosecutions instituted by the Customs and Excise Department against Hong Kong residents who contravened the Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations for bringing rice exceeding 15 kilograms into Hong Kong without a valid import licence are as follows:

	2015	2016	2017	2018	2019
Number of	3	8	3	0	3
prosecutions					
Number of persons	3	8	4*	0	3
convicted					
Total amount of	\$16,000	\$24,500	\$13,500	_	\$9,000
fines					

^{*}One of the cases involved 2 defendants.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)228

(Question Serial No. 0420)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

Regarding Matters Requiring Special Attention in 2020-21, the Customs and Excise Department (C&ED) will continue to strengthen the co-operative alliance with the industries and enforcement agencies in detecting online sale of infringing goods. What are the specific plans for the related work, and the expenditure and manpower to be involved? What was the expenditure on such work in 2019-20 and how effective was the work?

Asked by: Hon CHUNG Kwok-pan (LegCo internal reference no.: 22)

Reply:

As a result of the continuous and vigorous enforcement actions taken by C&ED, the situation of intellectual property rights (IPR) infringement in the local market has improved significantly as compared to several years ago, but the online sale of IPR infringing goods has been shifting from auction sites to social media platforms as well as online community market places. C&ED has been closely monitoring the latest trend of IPR infringing activities on the Internet and the related technology crimes, and conducts timely review of the strategy and effectiveness of its enforcement work. Over the past few years, C&ED has, through redeployment of internal resources, set up three dedicated teams to combat online IPR infringing activities and handle the relevant enforcement work; established the "Electronic Crime Investigation Centre" to enhance the capabilities of dedicated officers in online investigation and evidence collection; and developed various online monitoring systems to better monitor and combat online IPR infringing activities. One of such systems is the Big Data Analytics System launched at the end of 2017, which can analyse mass information on different Internet platforms for more effective surveillance on infringing activities and their evolving trend.

In 2019-20, C&ED had a total of 190 officers dedicated to preventing and detecting IPR crimes, involving a salary expenditure of about \$91.34 million. The relevant expenditure on system maintenance was about \$1.15 million.

The details of IPR infringing cases detected by C&ED in 2019 are as follows:

Number of cases (online IPR crime)	888 cases (203 cases)
Total value of seizures (online IPR crime)	\$117 million (\$2.8 million)
Number of successful prosecutions (online	423 cases (139 cases)
IPR crime) (Note)	
Penalties imposed by the Court (Note)	Fine: \$53 - \$100,000;
	Community service order: 40 - 240 hours;
	Imprisonment: 3 days - 8 months

Note: Cases with trial concluded in 2019

In 2020-21, C&ED will devote a comparable amount of resources and manpower, and will continue to take action against IPR offences through flexible deployment of existing resources and manpower.

CEDB(CIT)229

CONTROLLING OFFICER'S REPLY

(Question Serial No. 2740)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (5) Trade Controls

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

With regard to the control system for strategic commodities, will the Government advise this Committee of the following:

- 1. Please tabulate by offence the numbers of prosecutions, convictions and cases where sentences or fines were imposed for contravention of relevant legislation in the past 3 financial years.
- 2. With regard to the implementation of the United Nations sanctions terms, including terms of embargoes, please tabulate by offence type the numbers of prosecutions, convictions and cases where sentences or fines were imposed for contravention of the United Nations sanctions orders in the past 3 financial years.
- 3. How much manpower is responsible for the inspections on the implementation and for the enforcement of the relevant terms of embargoes in Hong Kong? Please advise on the number of officers involved, their ranks and respective areas of purview.

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 17)

Reply:

Statistics on strategic commodity-related enforcement actions taken by the Customs and Excise Department (C&ED) in the past 3 years, i.e. 2017-2019, are tabulated below:

	2017	2018	2019
Number of prosecutions	33	49	57
Number of convictions	33	48	54
Fine (\$ million)	0.75	0.94	0.66

	2017	2018	2019
Value of forfeited goods (\$ million)	1.17	1.45	2.07

In the past 3 years, there were no prosecutions or conviction cases initiated by C&ED under the United Nations Sanctions Ordinance. C&ED will continue to maintain a stringent system of implementing United Nations Security Council (UNSC) sanctions in accordance with the law. Exercising its statutory authorities, C&ED will proactively follow up on all suspected violations of UNSC sanctions, and will institute prosecutions when there is sufficient evidence.

As regards staff establishment, apart from the staff responsible for on-site examination of cargoes at entry and exit points, C&ED has a total of 59 officers dedicated to the implementation of strategic trade controls, the control of provision of services to assist in the development of weapons of mass destruction, and the enforcement work against the supply, sale or transfer of arms and other items subject to sanction under the United Nations Sanctions Ordinance. Details of the posts concerned are as follows:

Rank	Number
Principal Trade Controls Officer	1
Chief Trade Controls Officer	3
Senior Trade Controls Officer	9
Trade Controls Officer	41
Assistant Trade Controls Officer	5
Total	59

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)230

(Question Serial No. 1126)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (1) Control and Enforcement, (5) Trade Controls

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

The import and export of rice are monitored through the enforcement of the Reserved Commodities Ordinance. Regarding the inspection of rice, a reserved commodity, and the related enforcement work, what are the staff establishment and expenditure under this Programme? Did any rice stockholder or individual breach the Reserved Commodities Ordinance in the past 5 years? If yes, what were the details and what actions were taken by the Government?

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 12)

Reply:

The Customs and Excise Department (C&ED) is responsible for enforcing the Reserved Commodities Ordinance (the Ordinance) and its subsidiary regulations, including inspection/verification of the information declared on import and export licences of rice, registered rice stockholders and their storage and maintenance of rice stock on importation, as well as investigation of suspected contravention cases.

In 2019-20, a total of 25 officers in the C&ED are responsible for investigating fraud cases in relation to origin, licensing, certification and valuation, as well as conducting reserved commodities inspections and investigating cases in violation of the Ordinance. As the enforcement duties in relation to the Ordinance are part of the many enforcement duties of the relevant personnel, the manpower and resources involved cannot be quantified separately.

The relevant figures on the enforcement of the Ordinance by C&ED in respect of rice for the past 5 years are as follows:

	2015	2016	2017	2018	2019
Number of inspections ¹	4 579	4 456	4 435	4 537	4 462
Number of investigations initiated	50	61	49	49	33
Number of investigations completed ²	45	49	49	32	37
Number of convictions ²	21	17	5	8	9
Number of cases with written warning issued ²	6	22	26	26	12

¹ Including inspections of import and export licences of rice, registered rice stockholders and their storage and maintenance of rice stock on importation.

² As some investigations were initiated in earlier years, the total number of the breakdown of cases may be more/fewer than the number of investigations initiated/investigations completed in the same year.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)231

(Question Serial No. 2070)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

<u>Programme</u>: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

Regarding the enforcement of the Trade Descriptions Ordinance (TDO) by the Customs and Excise Department (C&ED), will the Government advise this Committee of:

- (a) the number of complaints about false trade descriptions and the number of prosecutions in 2019;
- (b) the number of complaints about unfair trade practices and the number of prosecutions in 2019; and
- (c) the numbers of inspections conducted for the offences under the TDO in the past 3 years (please provide a breakdown by year)?

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 45)

Reply:

The figures in relation to C&ED's enforcement of the Trade Descriptions Ordinance (TDO) in 2019 were as follows:

Offence	Breakdown of figures	2019
	Number of complaints	6 520
False trade descriptions	Number of investigations	106
	Number of prosecutions	49
	Number of complaints	456
Misleading omissions	Number of investigations	6
	Number of prosecutions	6
Airrairl	Number of complaints	602
Aggressive commercial practices	Number of investigations	21
practices	Number of prosecutions	26

Offence	Breakdown of figures	2019
	Number of complaints	18
Bait advertising	Number of investigations	2
	Number of prosecutions	2
	Number of complaints	7
Bait and switch	Number of investigations	1
	Number of prosecutions	0
Wasastyssastins	Number of complaints	626
Wrongly accepting	Number of investigations	4
payment	Number of prosecutions	2
Other offenses and anthe	Number of complaints	4
Other offences under the	Number of investigations	8
TDO^	Number of prosecutions	8

Note: ^Such as the offences under sections 4 and 12 of the TDO.

The numbers of spot checks conducted by C&ED in relation to the TDO in the past 3 years were as follows:

	2017	2018	2019
Number of spot checks	4 000	4 023	4 018

CONTROLLING OFFICER'S REPLY

CEDB(CIT)232

(Question Serial No. 2953)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

As indicated in Matters Requiring Special Attention in 2020-21, the Customs and Excise Department (C&ED) will strengthen enforcement actions against false trade descriptions and unfair trade practices in respect of both goods and services. In this connection, what are the staff establishment and estimated expenditure involved? Please set out in the table below the actual outcomes of the work concerned in the past 3 years respectively.

	2017-2018	2018-2019	2019-2020
Complaints received			
Number of spot checks			
Number of prosecutions			
Staff establishment			
Estimated expenditure			
Actual expenditure			

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 30)

Reply:

The manpower and expenditures involved in the enforcement of the Trade Descriptions Ordinance (TDO) by C&ED in the past 3 years and 2020-21 are as follows:

Year	Manpower involved	Expenditure involved (\$ million)
2017-18	190	95
2018-19	190	99
2019-20	227	120
2020-21	237	130

The figures in relation to C&ED's enforcement of the TDO in the past 3 years were as follows:

	2017	2018	2019
Number of	6 922	10 818	8 233
complaints			
Number of spot	4 000	4 023	4 018
checks			
Number of	74	66	93
prosecutions			

- End -

CEDB(CIT)233

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0866)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

<u>Programme</u>: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

Given that the Customs and Excise Department (C&ED) is responsible for law enforcement and investigation of complaints related to unfair trade practices, will the Department advise this Committee of the number of complaints received involving aggressive commercial practices since the commencement of the amended Trade Descriptions Ordinance (Cap. 362) (TDO) in July 2013? What are the numbers of cases with investigation completed, and the numbers of prosecution and conviction (please provide a breakdown by industry)?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 11)

Reply:

The figures in respect of C&ED's enforcement actions against aggressive commercial practices since the commencement of the amended Trade Descriptions Ordinance (Cap. 362) in July 2013 and up to December 2019 are as follows:

	Number of complaints received		Number of cases with investigations completed	Number of cases with prosecutions completed	Number of cases convicted
Fitness and yoga (Services)	971	56	51	4	4
Beauty and hairdressing (Services)	423	38	38	5	2
Travel (Services)	165	8	8	0	0
Jewellery and watches (Goods)	23	1	1	0	0

	Number of complaints received	Number of investigation cases	Number of cases with investigations completed	Number of cases with prosecutions completed	Number of cases convicted
Ginseng and dried seafood/ pharmacy and Chinese medicines (Goods)	18	4	3	0	0
Investment and finance (Services)	17	1	1	1	1
Food and beverage (Goods)	9	0	0	0	0
Electrical and electronic goods (Goods)	9	0	0	0	0
Furniture, renovation and interior design (Services)	7	4	4	0	0
Beauty and hairdressing products (Goods)	6	2	2	1	0
Others	78	7	7	0	0
Total	1726	121	115	11^	7

Note: ^The legal proceedings of 23 other cases involving fitness services are still in progress

CONTROLLING OFFICER'S REPLY

CEDB(CIT)234

(Question Serial No. 0871)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

<u>Programme</u>: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

According to the Customs and Excise Department (C&ED), the provision for this Programme for 2020-21 is \$87.1 million (22.1%) higher than the revised estimate for 2019-20, which is mainly due to the net increase of 117 posts to meet operational needs and increased operating expenses. Will the Government provide the respective scopes of duties of the posts involved, the departments/branches to which they belong and a breakdown of the expenditure?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 15)

Reply:

In 2020-21, there are 117 additional posts under Programme (3) Intellectual Property Rights and Consumer Protection, involving about \$62.45 million of salary expenditure. The new posts are mainly for providing additional manpower to conduct research support and preparation work for the proposal of a statutory cooling-off period for beauty and fitness services consumer contracts. The new posts also include posts for implementing the statutory cooling-off period and regulating the safety of non-telecommunication functions of mobile phones and other telecommunications consumer goods, which will be created only after the completion of the relevant legislative exercises. The details of the new posts are as follows:

Rank	Number
Assistant Commissioner of Customs and	1
Excise	
Superintendent of Customs and Excise	1
Assistant Superintendent of Customs and	3
Excise	
Senior Inspector of Customs and Excise	9
Inspector of Customs and Excise	11

Rank	Number
Chief Customs Officer	5
Senior Customs Officer	18
Customs Officer	46
Chief Trade Controls Officer	1
Senior Trade Controls Officer	4
Trade Controls Officer	7
Assistant Trade Controls Officer	9
Electronics Engineer / Assistant	2
Electronics Engineer	
Total:	117

- End -

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)235

(Question Serial No. 3018)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

Regarding "the continuation of monitoring the implementation of the amended Trade Descriptions Ordinance (TDO) in tackling unfair trade practices that may be deployed in consumer transactions", there have been a number of complaints from the public recently about traders selling anti-epidemic products of unknown origin (such as masks, disinfectant alcohol, etc.), and such products even contain untrue descriptions.

- 1. What are the staff establishment and expenditure for the investigation of unfair trade practices relating to anti-epidemic products by the Customs and Excise Department (C&ED) since January this year? Have any additional resources been deployed for investigation in view of the complaints?
- 2. In respect of the complaints relating to anti-epidemic products, how many inspections have C&ED conducted? How many shops are suspected of contravening the TDO? How many persons involved have been arrested? How many cases are there in which prosecutions have been instituted?
- 3. For cases suspected of contravening the TDO, what is the total value of the goods involved in each case? What are the quantity and value of goods by type of anti-epidemic products in each case?

Asked by: Hon WAN Siu-kin, Andrew (LegCo internal reference no.: 10)

Reply:

Currently, there are 227 C&ED officers responsible for the enforcement of the Trade Descriptions Ordinance (TDO) by handling reporting, investigation and relevant enforcement work related to unfair trade practices. The expenditure involved in 2019-20 is about \$122 million. It is difficult to quantify the manpower and expenditure involved by category of goods separately.

C&ED launched a large-scale territory-wide special operation codenamed "Guardian" on 27 January 2020 to conduct spot checks, test purchases and inspections in various districts on surgical masks and other anti-epidemic products for sale in the market to ensure that these products comply with the TDO and the Consumer Goods Safety Ordinance (CGSO). As at end of March 2020, during 65 consecutive days of operation, more than 3 600 officer-deployments have been made by C&ED to conduct over 25 000 inspections at retail spots that sell surgical masks and other anti-epidemic products. The officers have also test-purchased more than 100 samples of surgical masks for sale in the market for tests on bacterial counts, more than 20 types of hand sanitizer for safety tests, and 9 types of disinfectant alcohol for tests on their composition.

During the operation, there have been a total of 12 cases in which traders were suspected of contravening the TDO and CGSO when supplying anti-epidemic products. C&ED has arrested a total of 39 persons involved, and has seized 68 000 surgical masks, 306 bottles of disinfectant alcohol and 23 bottles of normal saline of an estimated total market value of over \$400,000. The cases are still under investigation.

The "Guardian" operation will continue and C&ED will take appropriate enforcement action against traders whose selling practice is found to be in potential violation of the relevant legislation.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)236

(Question Serial No. 3021)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

With regard to the increasing number of complaints about false trade descriptions and unfair trade practices involved in online transactions in recent years:

- 1. Is there any manpower/team in the Customs and Excise Department (C&ED) dedicated to combating unfair trade practices on the Internet at present?
- 2. In relation to online transactions, what were (a) the numbers of complaints received by C&ED, (b) the numbers of prosecutions, (c) the numbers of convictions, (d) the maximum penalty imposed on convicted individual/company, and (e) the average penalty imposed in the past 3 years?
- 3. In relation to the aforesaid enforcement work, what are the approaches adopted by C&ED for investigation and enforcement at present? Does C&ED have any new type of enforcement work or direction in 2020-21?

Asked by: Hon WAN Siu-kin, Andrew (LegCo internal reference no.: 29)

Reply:

The Trade Descriptions Ordinance (TDO) is equally applicable to trade practices of online traders and physical stores. Currently, a total of 227 C&ED officers are deployed to carry out enforcement work under the TDO against both online traders and physical stores.

The numbers of complaints against unfair trade practices related to "online shopping" received and the relevant enforcement figures in relation to C&ED's enforcement of the TDO for the past 3 years were as follows:

Year	2017	2018	2019
Number of complaints	1 227	1 561	999
Number of investigations	6	9	8
Number of prosecutions	8	4	2

Year		2017	2018	2019
Number of co	Number of convictions		5	2
(company/ind	ividual)			
	Fine	\$54,000	\$60,000	\$5,000
Maximum	Imprisonment	-	6 months'	-
penalty	(suspended		imprisonment	
	sentence)		(suspended	
			for 3 years)	
	Community	100 hours	-	-
	service order			
Average fine		\$19,250	\$25,625	\$4,000

Unfair trade practices may occur in different sales channels, including Internet trading platforms. C&ED will continue to monitor different types of illegal online activities by using advanced tools for evidence collection and investigation, and initiate follow-up actions and prosecutions where appropriate. If local or overseas websites are found to be conducting illegal activities, C&ED may demand such websites to remove the relevant contents or links. Depending on the circumstances, joint operations with overseas enforcement agencies will also be mounted as and when required.

CEDB(CIT)237

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0516)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

<u>Programme</u>: (3) Intellectual Property Rights and Consumer Protection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

It is mentioned under this Programme that enforcement actions against false trade descriptions and unfair trade practices in respect of both goods and services will be strengthened in 2020-21.

In the past 3 years, what were the number of enforcement actions taken by the Customs and Excise Department (C&ED) per year on average, the details of the offences involved, and the staff establishment responsible for taking these actions? Will the additional staff on the establishment be involved in carrying out inspections in this respect in response to the statement of strengthening enforcement actions?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 27)

Reply:

The figures in relation to C&ED's enforcement of the Trade Descriptions Ordinance (TDO) in the past 3 years were as follows:

Offence	Breakdown of figures	2017	2018	2019
	Number of complaints	6 169	9 021	6 520
Color toods	Number of investigations	78	89	106
False trade	Number of prosecutions	47	34	49
descriptions	Number of convicted companies/individuals	43	42	49
	Number of complaints	213	278	456
N 1 : -1	Number of investigations	10	5	6
Misleading omissions	Number of prosecutions	7	10	6
	Number of convicted companies/individuals	11	7	5

Offence	Breakdown of figures	2017	2018	2019
	Number of complaints	151	312	602
Aggressive	Number of investigations	2	13	21
commercial	Number of prosecutions	2	0	26
practices	Number of convicted companies/individuals	4	0	6
	Number of complaints	8	9	18
	Number of investigations	1	0	2
Bait advertising	Number of prosecutions	2	0	$\frac{2}{2}$
_	Number of convicted companies/individuals	1	2	3
	Number of complaints	2	3	7
	Number of investigations	0	2	1
Bait and switch	Number of prosecutions	0	3	0
	Number of convicted companies/individuals	0	2	2
	Number of complaints	376	1 195	626
Wrongly	Number of investigations	9	16	4
accepting	Number of prosecutions	2	5	2
payment	Number of convicted companies/individuals	3	4	2
	Number of complaints	3	0	4
0.1 66	Number of investigations	8	17	8
Other offences	Number of prosecutions	14	14	8
under the TDO^	Number of convicted companies/individuals	16	15	8

Note: ^Such as the offences under sections 4 and 12 of the TDO.

Currently, there are 227 C&ED officers responsible for the enforcement of the TDO. These include the 37 additional enforcement officer posts created in 2019-20 to enhance the handling of reporting, investigation and relevant enforcement work related to unfair trade practices.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

CEDB(CIT)238

(Question Serial No. 0915)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) -

Programme: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Commerce and Economic Development

Question:

To step up clearance facilitation measures, the Customs and Excise Department (C&ED) and the Mainland Customs launched the Single E-lock Scheme (the Scheme) in 2016. In this regard, please advise this Committee:

- 1. of the percentage of cross-border cargoes that avoided repeated inspections by both Hong Kong and Guangdong Customs under the Scheme each year in all cross-border cargoes since the launch of the Scheme;
- 2. of the work plans and resources involved in the promotion of the Scheme in 2020-21; and
- 3. with regard to setting up more clearance points in the Mainland, as the commissioning of the Hong Kong-Zhuhai-Macao Bridge will facilitate the logistics services between Hong Kong and Zhuhai, whether C&ED will consider increasing the number of clearance points in Zhuhai as there is currently only one in Doumen? If yes, what are the details? If no, what are the reasons?

Asked by: Hon YICK Chi-ming, Frankie (LegCo internal reference no.: 34)

Reply:

The Single E-lock Scheme (SELS) was first launched on a pilot basis in 2012, and targets inter-modal transhipment cargoes between Hong Kong and the Mainland of China. SELS helps reduce repeated inspections on the same consignment by both customs authorities, with a view to speeding up the flow of cargo. Since the pilot launch of SELS in 2012, more than 6.6 million consignments transhipped through Hong Kong to and from the Mainland were processed under SELS. More vehicles have been registered under SELS in recent years.

C&ED's work plan for promoting SELS in 2020-21 is as follows –

- (a) To make preparations for extending SELS to the Heung Yuen Wai Boundary Control Point for formal implementation upon the latter's commissioning;
- (b) To organise promotional activities in the Guangdong Province to further encourage the cross-boundary logistics trade to participate in SELS;
- (c) To strengthen communication with the trade and the Mainland Customs so as to explore room for further enhancing SELS; and
- (d) To study the feasibility of enhancing the design and system of the single e-lock, so as to improve quality and efficiency.

The TechConnect Block Vote under the Innovation and Technology Bureau has allocated \$8.1 million for the study under item (d), which is expected to be completed in 2021-22. The other items set out above are part of C&ED's day-to-day work. It is difficult to quantify the expenditure separately.

At present, 52 clearance points under SELS have been set up in the Guangdong Province, including 43 which cover all nine Mainland municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area. C&ED will continue to closely liaise with the Hong Kong cargo freight and logistics trade through regular meetings of the Transhipment Cargo Clearance Facilitation Customer Liaison Group, and convey their views and business needs (including establishment of more clearance points in the Mainland) to the Mainland Customs.

Reply Serial No.

CONTROLLING OFFICER'S REPLY

FSTB(Tsy)003

(Question Serial No. 1533)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Please advise this Committee of the following:

- 1. the numbers of cases involving duty-not-paid cigarettes and the quantities of illicit cigarettes detected by the Customs and Excise Department (C&ED) in the past 3 years;
- 2. the numbers of cases involving smuggled emerging tobacco products, including e-cigarettes containing nicotine, e-cigarettes not containing nicotine and heat-not-burn (HNB) cigarettes, and the quantities of smuggled products detected by C&ED in the past 3 years (set out respectively in table form);
- 3. some members of the tobacco industry consider that the increase in the proportion of health warnings on cigarette packets after the passage of the Smoking (Public Health) (Notices) (Amendment) Order 2017 will aggravate the illicit cigarette problem because it will be more difficult to include labels with anti-forgery feature on cigarette packets. In this regard, has C&ED compared the situation of the illicit cigarette problem in Hong Kong since the passage of the Amendment Order with that in the same periods in the past 3 years? What are the changes?

Asked by: Hon CHAN Pierre (LegCo internal reference no.: 36)

Reply:

1. The relevant information on duty-not-paid cigarettes (including HNB tobacco products) seized locally by C&ED between 2017 and 2019 is as follows:

	2017	2018	2019	
Number of cases	7 944	13 573	17 350	
Quantity (million sticks)	60	53	54	

2. The relevant information on HNB tobacco products seized by C&ED between 2017 and 2019 is as follows:

	2017	2018	2019
Number of cases	130	971	638
Quantity (million sticks)	0.74	8	6

E-cigarettes not containing tobacco are not dutiable commodities and no dutiable value is involved. For e-cigarette products containing over 0.1% of nicotine, they are categorised as Part 1 poisons and regarded as pharmaceutical products, which are governed by the Pharmacy and Poisons Ordinance (Cap. 138). The relevant figures on the law enforcement actions are as follows:

	2017	2018	2019
Number of cases	14	25	53
Total value (\$ million) (Note)	0.1	1.3	21

Note: Since the e-cigarette products containing nicotine seized by C&ED are of different types and in different units of measurement, only the total values instead of the quantities of seizures could be provided.

E-cigarettes not containing nicotine are not controlled articles. Therefore, C&ED has no relevant figures on the law enforcement actions.

3. C&ED has been rigorously combating illicit cigarette activities. Since the implementation of the Smoking (Public Health) (Notices) (Amendment) Order 2017 in December 2017, no noticeable impact on illicit cigarette activities has been observed. C&ED will continue to closely monitor the market conditions and take resolute law enforcement actions against illicit cigarette activities.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0867)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

In the past 5 years, what were the respective numbers of duty-not-paid conventional cigarettes and heat-not-burn (HNB) tobacco products seized by the Customs and Excise Department (C&ED) in each year, and what were the entry and exit points/locations they were seized and the values of these seizures? (Please set out the information in table form.)

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 12)

Reply:

In the past 5 years, the quantities and values of duty-not-paid conventional cigarettes and HNB tobacco products seized locally by C&ED are tabulated as follows:

		2015	2016	2017	2018	2019
Duty-not-paid conventional	Quantity (million sticks)	52	62	60	45	48
cigarettes	Total value (\$ million)	138	167	158	120	130
Duty-not-paid HNB tobacco	Quantity (million sticks)	0	0	0.74	8	6
products	Total value (\$ million)	0	0	2	22	17
Total (Note)	Quantity (million sticks)	52	62	60	53	54
	Total value (\$ million)	138	167	160	142	147

Note: Figures may not add up to the total due to rounding.

The locations where C&ED seized the duty-not-paid conventional cigarettes and HNB tobacco products mentioned above, together with the quantities and values involved, are tabulated as follows:

		2015	2016	2017	2018	2019
Hong Kong International	Quantity (million sticks)	0.1	0.4	1	5	3
Airport	Total value (\$ million)	0.3	1	2	13	8
Land boundary and railway	Quantity (million sticks)	23	13	34	19	22
control points	Total value (\$ million)	62	34	91	51	59
terminals and (mile ferry terminal control points (\$ In-town area	Quantity (million sticks)	10	29	6	3	2
	Total value (\$ million)	27	79	17	8	6
	Quantity (million sticks)	19	20	20	27	27
	Total value (\$ million)	48	53	51	70	73
Total (Note)	Quantity (million sticks)	52	62	60	53	54
	Total value (\$ million)	138	167	160	142	147

Note: Figures may not add up to the total due to rounding.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0868)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

How many persons were arrested by the Customs and Excise Department (C&ED) for sale and purchase of duty-not-paid conventional cigarettes and heat-not-burn (HNB) tobacco products in each of the past 5 years? Among them, how many were prosecuted and convicted respectively?

Asked by: Hon SHIU Ka-fai (LegCo internal reference no.: 13)

Reply:

The numbers of persons arrested by C&ED in town for sale and purchase of duty-not-paid conventional cigarettes and HNB tobacco products, and the numbers of persons prosecuted and convicted in the past 5 years are as follows:

and convicted in the past 5 years are as ronows.							
	2015	2016	2017	2018	2019		
Number of persons arrested	620	538	512	522	517		
Number of sellers	302	314	259	245	189		
Number of purchasers	318	224	253	277	328		
Number of persons prosecuted#	622	507	504	521	505		
Number of persons convicted*	601	510	506	515	488		

[#]Cases with prosecution instituted during the year

^{*}Cases with trial concluded during the year

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0517)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Regarding the dutiable commodities licences issued by the Customs and Excise Department (C&ED) according to the Dutiable Commodities Ordinance last year, what types of licence have a significant increase in the number of applications? Please list out the figures by type of licence. How long does it take to issue a licence on average? Will the additional staff on the establishment be involved in carrying out such duties? If yes, what are the details? If no, what are the reasons?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 28)

Reply:

Among the new applications for licences issued by C&ED under the Dutiable Commodities Ordinance in 2019, there is a significant increase in the numbers of applications for Warehouse Licences and Import and Export Licences. The relevant figures are as follows:

Type of licence	Number of	Increase	
Type of ficence	2018	2019	(Percentage)
Warehouse Licence	8	13	5 (+63%)
Import and Export	92	117	25 (+27%)
Licence			

According to the Performance Pledge in respect of issuing dutiable commodities licences, C&ED aims to complete the processing of an application and issue the licence within 12 working days upon receipt of all necessary application documents and relevant information. C&ED handles the licence issuance work under the current establishment and manpower.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4217)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (1) Control and Enforcement, (4) Revenue Protection and

Collection

Controlling Officer: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

What were the numbers of cases of selling illicit cigarettes through telephone ordering detected, quantities of illicit cigarettes seized and numbers of persons arrested by the Customs and Excise Department (C&ED) in the past 5 years? What are the estimated provision and number of officers to be deployed for combating telephone ordering of illicit cigarettes by C&ED in 2020-21?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 182)

Reply:

The relevant information on cases of telephone ordering of illicit cigarettes detected by C&ED in the past 5 years is as follows:

	2015	2016	2017	2018	2019
Number of cases	452	428	426	412	430
Quantity of illicit cigarettes seized (million sticks)	1.4	3.8	4.6	5	2.8
Number of persons arrested	465	441	439	417	432

In 2020-21, C&ED will continue to deploy 26 officers dedicated to combating telephone ordering of illicit cigarettes, involving about \$11.22 million of salary expenditure.

Reply Serial No.

FSTB(Tsy)107

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4222)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (1) Control and Enforcement, (4) Revenue Protection and

Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

What were the actual quantities of illicit cigarettes seized by the Customs and Excise Department (C&ED) at various control points, the numbers of officers and the actual expenditures involved in the past 5 years? How many officers will be deployed by C&ED to combat illicit cigarette activities and what are the details of expenditure in 2020-2021?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 187)

Reply:

The quantities of illicit cigarettes seized by C&ED at various control points in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Quantity of illicit					
cigarettes	38.4	50.9	44.2	31.9	40.8
(million sticks)					

Since the front-line officers stationed at various control points are also tasked with clearance duties in addition to combating illicit cigarette activities, C&ED cannot separately provide the number of officers and the actual expenditure involved.

Apart from intercepting illicit cigarettes at various control points, C&ED is also committed to combating the storage, distribution and peddling (including telephone ordering) of illicit cigarettes. In 2020-21, C&ED will continue to deploy 61 officers to combat illicit cigarette activities, involving approximately \$26.27 million of salary expenditure.

- End -

Examination of Estimates of Expenditure 2020-21

Reply Serial No.

FSTB(Tsy)108

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6790)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

How many officers will be deployed by the Customs and Excise Department (C&ED) at various control points in Hong Kong to intercept dutiable commodities and what is the estimated provision involved in 2020-2021?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 189)

Reply:

In 2020-21, C&ED's estimated expenditure under Programme (1) "Control and Enforcement" is \$4,165.9 million, involving 6 154 posts. Since the Customs officers deployed at various entry and exit points are also tasked with clearance duties apart from intercepting dutiable commodities, C&ED cannot quantify the relevant number of officers and expenditure separately.

FSTB(Tsy)109

CONTROLLING OFFICER'S REPLY

(Question Serial No. 5427)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Regarding the measures to facilitate driving for eligible disabled persons, will the Government please provide the following information:

- 1. The quantities of fuel involved and the loss of revenue in waiving the duty payable on hydrocarbon oil for disabled persons in the past 5 years;
- 2. The numbers of prosecutions and convictions for abusing duty exemption of hydrocarbon oil for disabled persons in the past 5 years.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1338)

Reply:

1. The quantities of dutiable fuel and the amounts of duty involved in waiving the duty payable on hydrocarbon oil for disabled persons in the past 5 years are as follows:

	2015	2016	2017	2018	2019
Quantity of					
hydrocarbon oil	1.68	1.7	1.76	1.71	1.67
(million litres)					
Amount of duty					
involved	10.18	10.3	10.67	10.36	10.12
(\$ million)					

2. In the past 5 years, the Customs and Excise Department instigated prosecution against 1 case of abusing duty exemption of hydrocarbon oil for disabled persons, and the 2 persons involved were convicted.

Examination of Estimates of Expenditure 2020-21

Reply Serial No.

FSTB(Tsy)110

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6539)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

Programme: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Please advise this Committee in table form of all the brands of the cigarettes seized in anti-illicit-cigarette enforcement actions in 2019-20 and their corresponding percentages.

Cigarette brand	Percentage

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 214)

Reply:

According to the Dutiable Commodities Ordinance (Cap. 109), all cigarettes are subject to duty at the rate of \$1,906 for each 1 000 sticks. The Customs and Excise Department does not have a breakdown by brands in respect of the cigarettes seized.

- End -

Examination of Estimates of Expenditure 2020-21

Reply Serial No.

S-FSTB(Tsy)01

CONTROLLING OFFICER'S REPLY

(Question Serial No. S0001)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (4) Revenue Protection and Collection

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes Tang)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Regarding Reply Serial No. FSTB(Tsy)004, will the Government provide supplementary information on the respective quantities of conventional cigarettes and heat-not-burn (HNB) tobacco products seized in the locations listed in the reply? What were the staff establishment involved and resources used by the Customs and Excise Department (C&ED) in combating illicit cigarette activities in the past 3 years? It is learnt that C&ED is now collecting duty from incoming travellers for bringing in HNB tobacco products. In this regard, how many HNB tobacco products did C&ED collect duty from in the past 3 years?

Asked by: Hon NG Wing-ka, Jimmy

Reply:

The respective locations, quantities and values of duty-not-paid conventional cigarettes and heat-not-burn tobacco products (HNB products) seized locally by C&ED between 2017 and 2019 are tabulated below. Since the duty-not-paid cigarettes seized in 2015 and 2016 were all conventional cigarettes, the table below only shows the relevant breakdown in the past 3 years:

		2017		2018		2019	
		Conventional cigarettes	HNB products	Conventional cigarettes	HNB products	Conventional cigarettes	HNB products
Hong Kong International Airport	Quantity (million sticks)	0.28	0.51	0.31	4.5	0.25	2.67
	Total value (\$ million)	0.73	1.33	0.85	12.16	0.7	7.62
Land boundary and railway	Quantity (million sticks)	33.54	0.08	18.43	0.44	21.64	0.24
control points	Total value (\$ million)	90.56	0.23	49.73	1.18	58.81	0.65
Container terminals and ferry	Quantity (million sticks)	6.32	0.02	2.73	0.13	2.26	0.01
terminal control points	Total value (\$ million)	16.53	0.06	7.37	0.36	6.19	0.02
In-town area	Quantity (million sticks)	19.39	0.12	23.73	2.95	24.11	3.01
	Total value (\$ million)	50.31	0.34	61.88	8.3	64.74	8.58
Total (Note)	Quantity (million sticks)	60	0.74	45	8	48	6
	Total value (\$ million)	158	2	120	22	130	17

Note: Figures may not add up to the total due to rounding.

Since the front-line officers stationed at various control points are tasked with other clearance duties in addition to combating illicit cigarette activities, C&ED cannot separately quantify the number of officers and the actual expenditures involved in combating illicit cigarette activities. Apart from intercepting illicit cigarettes at various control points, C&ED is also committed to combating the storage, distribution and peddling (including telephone ordering) of illicit cigarettes. In the past 3 financial years, C&ED deployed a total of 61 officers each year to specifically combat illicit cigarette activities. The salary expenditures involved each year are tabulated below:

Financial Year	Salary expenditures involved (\$ million)
2017-18	23.93
2018-19	24.98
2019-20	26.27

In the past 3 years, the amounts of duty collected from incoming travellers declaring HNB products in excess of the duty free concession and the quantities involved are as follows:

Excess quantity of HNB products declared by travellers	2017	2018	2019
Quantity by stick (million sticks)	0.1	0.53	0.92
Quantity by weight (gram)	6	565	45
The total amount of duty involved in respect of the above two types of HNB products (\$ million)	0.2	1.01	1.75

FSTB(FS)096

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6789)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (-) Not Specified

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Financial Services and the Treasury

Question:

Please provide the number of money laundering cases detected by the Customs and Excise Department (C&ED) and the number of persons involved in the past 5 years.

<u>Asked by</u>: Hon CHAN Tanya (LegCo internal reference no.: 185) <u>Reply</u>:

In the past 5 years, the number of money laundering cases detected by C&ED and the number of persons involved are as follows:

	2015	2016	2017	2018	2019
Number of cases detected	3	11	6	7	7
Number of persons involved	7	24	17	11	19

FHB(**FE**)360

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3989)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): (000) Operational expenses

Programme: (5) Trade Controls

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Food and Health

Question:

Regarding the amount of administrative penalties imposed by the Customs and Excise Department in relation to import and export declarations in 2020:

- 1. Please provide a breakdown of the numbers of cases in which a fine was imposed for contravention of the Import and Export (General) (Amendment) Regulation 2013 (commonly known as the "export control of powdered formulae") by month in 2019 as well as the total amounts of fines involved.
- 2. What were the number of cases with imposition of fines ended up in default of fine payment in 2019 as well as the total amount of fines in default?
- 3. What were the types of document of identity (e.g. Hong Kong Permanent Identity Card, "multiple-entry" Individual Visit Endorsements, etc.) the defendants held in cases of default of fine payment?
- 4. How does the Government normally handle cases of default of fine payment and what is the expenditure involved?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 269)

Reply:

1. Among the 3 568 convicted cases for contravening the export control of powdered formulae in 2019, the numbers of cases in which a fine was imposed and the amounts of fines involved with a breakdown by month are tabulated below:

Month Imposed	Number of Cases	Amount of Fines
January	371	\$1,190,300
February	196	\$801,800
March	346	\$1,128,500
April	338	\$1,083,600
May	357	\$1,150,800

Month Imposed	Number of Cases	Amount of Fines
June	286	\$918,700
July	350	\$1,117,200
August	319	\$995,900
September	290	\$926,600
October	291	\$1,112,400
November	210	\$646,500
December	205	\$652,200
Whole Year	3 559	\$11,724,500

- 2. & 3. The Judiciary does not have the relevant breakdown information.
- 4. A magistrate may issue a summons or a warrant of arrest to any person who fails to pay a fine. The expenditure on handling such cases cannot be quantified separately.

- End -

FHB(FE)361

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4559)

<u>Head</u>: (31) Customs and Excise Department

Subhead (No. & title): ()

<u>Programme</u>: (1) Control and Enforcement

<u>Controlling Officer</u>: Commissioner of Customs and Excise (Hermes TANG)

<u>Director of Bureau</u>: Secretary for Food and Health

Question:

Will the Department please tabulate the following figures by control point in the past 3 years:

the respective numbers of cases, prosecutions and convictions related to contravention of the "export control of powdered formulae", and the quantities of powdered formulae involved.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 140)

Reply:

The numbers of prosecution cases and those resulted in successful convictions for contravening the export control of powdered formulae in the past 3 years are as follows:

2017

	Number of	Number of
	prosecution cases	convicted cases
Lok Ma Chau Spur Line	2 323	2 319
Control Point		
Lo Wu Control Point	1 407	1 397
Shenzhen Bay Control Point	94	94
Lok Ma Chau Control Point	8	8
Sha Tau Kok Control Point	8	8
Man Kam To Control Point	6	6
Hung Hom Through Train	1	1
Station		
Places other than boundary	1	0
control points		
Total	3 848	3 833
Quantity of powdered	15 977	15 980
formulae involved (kg)		

<u>2018</u>

Number of	Number of
prosecution cases	convicted cases
2 444	2 435
1 363	1 352
16	15
12	12
12	12
9	9
6	6
1	2
3 863	3 843
26 055	25 960
	1 363 16 12 12 9 6 1 3 863

<u>2019</u>

	Number of	Number of
	prosecution cases	convicted cases
Lok Ma Chau Spur Line	2 232	2 217
Control Point		
Lo Wu Control Point	1 246	1 233
Shenzhen Bay Control Point	36	35
West Kowloon Station of the	59	59
Guangzhou-Shenzhen-Hong		
Kong Express Rail Link		
Lok Ma Chau Control Point	10	10
Sha Tau Kok Control Point	4	4
Man Kam To Control Point	7	7
Hong Kong-Zhuhai-Macao	1	1
Bridge		
Places other than boundary	2	2
control points		
Total	3 597	3 568
Quantity of powdered	15 857	15 721
formulae involved (kg)		