

Government announces co-location arrangement

The Government announced yesterday (July 25) the implementation of Hong Kong and Mainland customs, immigration and quarantine (CIQ) procedures (clearance procedures) at the West Kowloon Station (WKS) of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) (hereinafter referred as the co-location arrangement). The arrangement was endorsed by the Chief Executive in Council on the same day.

The Secretary for Justice, Mr Rimsky Yuen, SC; the Secretary for Transport and Housing, Mr Frank Chan Fan; and the Secretary for Security, Mr John Lee, held a press conference at the Central Government Offices to explain the co-location arrangement.

The 26-km Hong Kong Section of the XRL will connect Hong Kong to the continuously expanding national high-speed rail network, substantially reducing the rail travelling time between Hong Kong and various major Mainland cities.

"As at end-June this year, the construction works of the Hong Kong Section of the XRL were about 95 per cent complete. Train testing and trial runs, as well as preparation for the operation stage, are underway. Our target is to commission services in the third quarter of 2018," said Mr Chan.

He continued to say that the implementation of the co-location arrangement means that passengers can complete clearance procedures of both Hong Kong and the Mainland at the WKS in one go. Passengers departing from Hong Kong can go to all cities on the national high-speed rail network without having to undergo clearance procedures again on the Mainland. On the other hand, passengers coming to Hong Kong can freely board trains at

any station on the national high-speed rail network, and go through Mainland departure clearance and Hong Kong arrival clearance at the WKS. They will not be constrained by whether a particular Mainland city has clearance facilities. Without a co-location arrangement, passengers might only board or alight at Mainland stations equipped with clearance facilities.

"If a co-location arrangement was not implemented, the efficiency and flexibility offered by the XRL will be hampered. As such, a co-location arrangement is critical to fully unleash benefits of the XRL project", said Mr Chan.

The HKSAR Government and the relevant Mainland authorities conducted detailed study on the co-location arrangement to ensure that it should comply with the Basic Law; have to be feasible and effective from the operational perspective; and be able to manage security risk robustly. With reference to the case of the Shenzhen Bay Port, the HKSAR Government and the relevant central authorities recommended adopting a "Three-step Process" in implementing the co-location arrangement at the WKS of the XRL. The three steps may be summarised as follows –

Step One: The Mainland and the HKSAR are to reach a Co-operation Arrangement in relation to the implementation of the co-location arrangement;

Step Two: The Standing Committee of the National People's Congress approves and endorses the Co-operation Arrangement by making a Decision; and

Step Three: Both sides implement the arrangement pursuant to their respective procedures. Local legislation will be necessary for the case of Hong Kong.

The contents of the Co-operation Arrangement include the establishment of port areas, the area and jurisdiction of

the Mainland Port Area (MPA), immigration control on travellers, liaison and coordination mechanism and emergency handling mechanism, consultation on and resolution of disputes, as well as the arrangement for amending the Co-operation Arrangement and its effective date. With respect to the application of laws and delineation of jurisdiction, the MPA will be regarded as outside the territorial boundary of the HKSAR.

Mr Yuen pointed out that the co-location arrangement is consistent with the Basic Law. The Co-operation Arrangement will provide a sound and clear legal basis for Mainland personnel to conduct clearance procedures for passengers and perform duties in the MPA.

Mr Lee said, "Law enforcement agencies of the Mainland can only undertake law enforcement within the MPA, beyond which they do not have the power to do so."

Mr Lee added that under the co-location arrangement, an inter-departmental "Task Force on Emergency Response and Rescue Issues" would be established by both sides to draw up emergency and rescue plans to handle emergency incidents. Regular drills would be conducted and a liaison officer system would also be set up. Emergency incidents include fire, train failures, urgent medical assistance requested by passengers, large scale public health incidents, terrorist attacks, handling of dangerous or chemical goods, etc.

As for the day-to-day operation, Mr Lee said that both sides would establish a co-operation and liaison mechanism to ensure that it is smooth, efficient and safe, such as in combatting smuggling and managing the peak periods of boundary crossing.

There are examples of similar co-location arrangement overseas, such as that between the United Kingdom and

France, and that between the United States and Canada. Hong Kong and the Mainland have also adopted such an arrangement at the Shenzhen Bay Port since 2007. It has been operating smoothly and has been well received by travellers. The Government hopes that the community can support the implementation of the co-location arrangement for the XRL, so as to benefit passengers from Hong Kong and across the globe in future.

Relevant documents and announcements in the public interest on the co-location arrangement can be accessed from www.thb.gov.hk/eng/policy/transport/policy/colocation/index.htm.

Ends/Wednesday, July 26, 2017