



社會福利署

Social Welfare Department

**Code of Practice for
Drug Dependent Persons
Treatment and Rehabilitation Centres**

December 2001

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CHAPTER 1

INTRODUCTION

1.1 General

- 1.1.1 The Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566) (“**the Ordinance**”) comes into operation on 1 April 2002.
- s.25 of the Ordinance 1.1.2 This Code of Practice is issued by the Director of Social Welfare (“**DSW**”) setting out principles, procedures or guidelines for the operation, management or other control of treatment centres, as well as providing practical guidance in respect of any one or more of the requirements of the Ordinance. The Ordinance, which governs the operation of drug dependent persons treatment and rehabilitation centres (“**treatment centres**” or “**centres**”) in Hong Kong, can be purchased from the Government Publications Centre, G/F, Low Block, Queensway Government Offices, 66 Queensway, Hong Kong; or downloaded from the website of the Department of Justice (www.justice.gov.hk).
- 1.1.3 The statutory provisions cited or mentioned in this Code are those in force as at December 2001. Readers of this Code are advised to check if there are any subsequent amendments to these provisions.
- s.3 1.1.4 The requirement under the Ordinance for a licence or certificate of exemption is without derogation from any requirement to register under the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap. 165). Nonetheless, the Ordinance shall not apply to treatment centres managed and controlled by the Hospital Authority.
- 1.1.5 Operators, including prospective operators, of treatment centres should study this Code of Practice carefully in conjunction with the Ordinance. To facilitate cross reference, the relevant sections of the Ordinance are marked on the page margins of the Code of Practice.
- s.6(4)(c)(iii) 1.1.6 DSW may refuse to issue a licence to an applicant if it appears to him that the place to be used as the treatment centre does not comply with any requirements relating to construction, design, structure, fire precautions, health, sanitation or safety set out in this Code of Practice. For consultation or advice, please approach the Licensing Office of Drug Dependents Treatment Centres (“**Licensing Office**”), Social Welfare Department.
- 1.1.7 Compliance with this Code does not release the operator or any other person from any liability, obligation or requirement imposed under any other ordinance or common law.

1.2 Purpose of the Ordinance

The Ordinance provides for the control of treatment centres, which provide voluntary residential treatment or rehabilitation for drug dependent persons, through a licensing system administered by DSW. The legislation is aimed at –

- (a) ensuring that the drug dependent persons will receive services in a properly managed and physically secure environment, thereby protecting their well-being;
- (b) enabling Government to keep a register of all treatment centres; and
- (c) bringing such centres under uniform control.

1.3 Interpretation

s.2 1.3.1 “**Treatment centre**” means any place used or intended to be used -

- (a) for the treatment for drug dependence or for the rehabilitation of 4 or more drug dependent persons undergoing such treatment or rehabilitation on a voluntary basis; and
- (b) for providing residential accommodation for such persons undergoing treatment for drug dependence, or undergoing rehabilitation, at that place.

s.2 1.3.2 “**Drug dependent person**” means a person who -

- (a) is suffering from the psychophysical state in which the usual or increasing doses of a dangerous drug (as defined in the Dangerous Drugs Ordinance (Cap. 134)) or a specified substance are required to prevent the onset of withdrawal symptoms; or
- (b) has completed treatment for drug dependence and is undergoing rehabilitation at a treatment centre.

s.2 1.3.3 “**Specified operator**” means, in relation to a treatment centre, the person specified as its operator in –

- (a) a licence; or
- (b) a certificate of exemption,

for the time being in force in respect of the treatment centre.

1.4 Licence and Certificate of Exemption

- s.4(1) 1.4.1 No person shall operate or exercise control over the management of a treatment centre unless he is the specified operator of the treatment centre.
- s.4(2) 1.4.2 No person shall take part in the management of a treatment centre unless -
- s.6(2)(a) & s.9(3)(a) (a) a licence has been issued or renewed in respect of that treatment centre and is for the time being in force; or
- s.8(3)(a) & s.9(3)(a) (b) a certificate of exemption has been issued or renewed in respect of that treatment centre and is for the time being in force.
- 1.4.3 A licence or a certificate of exemption issued in respect of a treatment centre is location-based and non-transferable. Application for a licence or certificate of exemption or application for its renewal must be made to DSW in the prescribed form, LODTC 1 [Appendix 2(a)]. The form can be obtained from the Licensing Office.

1.5 Certificate of Registration

The operator of a private treatment centre is required to register the business with the Inland Revenue Department according to the Business Registration Ordinance (Cap. 310), and the Registrar of Companies under the Companies Ordinance (Cap. 32) if the centre is owned by a body corporate.

1.6 Insurance Coverage

According to the Employees' Compensation Ordinance (Cap. 282), the operator of a treatment centre, being an employer, is required to take out employees' compensation insurance against his liability to all employees. It is also desirable for the operator of a treatment centre to provide other insurance coverage, e.g. public liabilities, for the centre. (For other employment requirements such as leave and Mandatory Provident Fund, please refer to paragraphs 8.3.2 – 8.3.8 of this Code of Practice.)

CHAPTER 2

LICENCE

2.1 The Policy

2.1.1 Licences may be issued to treatment centres which are able to comply with the requirements of the Ordinance. All treatment centres which come into existence and which want to commence operation on or after 1 April 2002 should be subject to regulation by the issue of licences. The main reason is that regulation under licences will better ensure properly managed and physically secure environments for the drug dependent persons undergoing residential drug dependence treatment or rehabilitation and better protect the well-being of these persons.

2.1.2 The Department recognizes the different treatment approaches being practised by the treatment centres and encourages a diversity of choices for the drug dependent persons. The treatment centres should have the autonomy to decide on the treatment approaches, having regard to the welfare of the residents.

2.2 Application for a Licence

s.6(1) An application for a licence must be made to DSW in the prescribed form LODTC 1 [Appendix 2(a)] and accompanied by such information as DSW may require. The details are as follows -

- (a) The application form (the original and three copies) duly completed can be sent in by registered post or in person to the Licensing Office;
- (b) The following documents should also be submitted -
 - (i) photocopy of the Hong Kong Identity Card ^{Note 1} of the applicant (applicable if application is made by an individual);
 - (ii) photocopy of the Hong Kong Identity Cards ^{Note 1} of all directors and photocopy of the Certificate of Incorporation issued by the Registrar of Companies (applicable if application is made by a body corporate);
 - (iii) photocopy of the Hong Kong Identity Cards ^{Note 1} of all partners, and photocopy of the Business Registration Certificate and certified copy of Business Registration Application issued by Commissioner of Inland Revenue (applicable if application is made by a partnership);

^{Note 1} As an alternative, the original Hong Kong Identity Card(s) may be produced for checking.

- (iv) photocopy of the tenancy agreements, and/or documents showing the land status (e.g. Government Land Licence, Land Lease, Short Term Tenancy or Short Term Waiver, etc.) and the expiry dates for such use in respect of the treatment centre premises (applicable for rented centre premises);
- (v) photocopy of the assignments in respect of the treatment centre premises (applicable for self-owned centre premises);
- (vi) 5 copies of building plans of the treatment centre premises. For details of the requirements on the building plans, please refer to the Guidance Notes on Submission of Building Plans at Appendix 1(b);
- (vii) full list of staff in the prescribed form LODTC 2 for employees/prospective employees [Appendix 2(b)], and/or LODTC 2(a) for skeleton volunteers ^{Note 2} [Appendix 2(c)]; and
- (viii) fit person statement(s) completed by the applicant, **all** partners where the applicant is a partnership, or **all** directors where the applicant is a body corporate, using Annex A of Appendix 2(a).

2.3 Issue of Licence

- s.6(2) DSW shall determine an application for a licence–
- (a) by issuing to the applicant the licence [LODTC 3 at Appendix 2(d)], subject to such reasonable conditions as DSW may impose, for a period not exceeding 12 months; or
 - (b) by refusing to issue the licence to the applicant.
- s.11(1)(d)

2.4 Licensing Conditions

- s.6(2)(a) & s.6(5) DSW is empowered to issue a licence, subject to such reasonable conditions as he may impose which may include –
- (a) requirements relating to accommodation, staffing, equipment and management of the treatment centre as stipulated in this Code of Practice; and
 - (b) any other reasonable conditions as deemed fit by DSW.

^{Note 2} Skeleton volunteers refer to those who perform fundamental or core duties/activities/programmes of the treatment centre on a regular basis.

2.5 Fit Person Requirement

- s.6(4) 2.5.1 DSW may refuse to issue a licence to the applicant if it appears to him –
- (a) where the applicant is an individual, that the applicant is not a fit person;
 - (b) where the applicant is a body corporate, that any director of the body corporate is not a fit person; and
 - (c) where the applicant is a partnership, that any partner of the partnership is not a fit person.
- s.7 2.5.2 A person is not a fit person if –
- (a) he is or was a drug dependent person unless he satisfies DSW that he has not been a drug dependent person continuously in the 7 years immediately prior to the day on which DSW considers the matter;
 - (b) he has been convicted in Hong Kong of any offence specified in Schedule 1 of the Organized and Serious Crimes Ordinance (Cap. 455) and sentenced to imprisonment within the 10 years immediately prior to the day on which DSW considers the matter; or
 - (c) he has been convicted elsewhere, within that period, of any offence constituted by an act or omission that, if it had occurred in Hong Kong, would have constituted an offence specified in Schedule 1 of the Organized and Serious Crimes Ordinance, and sentenced to imprisonment on the conviction. [The said schedule of version date 14 January 2000 is attached at Appendix 1(c).]
- 2.5.3 To enable DSW to determine whether a person is a fit person for the purpose of paragraph 2.5.1, the applicant, or any director/partner of the applicant who is a body corporate/partnership, should notify DSW whether he has –
- (a) been convicted of any criminal offence as specified in paragraphs 2.5.2(b) and (c); and
 - (b) been a drug dependent person in the 7 years immediately prior to the date of application.
- 2.5.4 Within 14 days after being convicted of any fresh criminal offence as specified in paragraphs 2.5.2(b) and (c), an applicant or a specified operator, or any director/partner of an applicant or a specified operator who is a body corporate/partnership, should notify DSW in the prescribed form LODTC 5 [Appendix 2(f)], attached with an authorization form [Annex A1] to facilitate checking with Hong Kong Police Force. He should submit another LODTC 5 within 14 days of the court sentence if such sentence is adjourned by the court.

2.5.5 To ascertain that the fit person criteria are being met, DSW may require an applicant or a specified operator, or any director/partner of an applicant or a specified operator who is a body corporate/partnership, to give consent and to authorize the Department to check his criminal conviction record with the Criminal Records Bureau of Hong Kong Police Force. Such check will be conducted under the following circumstances -

- (a) when it has come to the knowledge of DSW that the applicant or specified operator, or any director/partner of the applicant or specified operator who is a body corporate/partnership, is convicted of any fresh criminal offence as specified in paragraphs 2.5.2(b) and (c);
- (b) if DSW has doubt about the content of the fit person statement made; or
- (c) in any other situations DSW considers appropriate.

2.6 Renewal of Licence

s.9(1) & (2) 2.6.1 The specified operator of a treatment centre may apply to DSW not more than 4 months and not less than 2 months before the expiration of the licence, or within such other period prior to the expiration as DSW may in writing permit, for it to be renewed for a period of 12 months or such lesser period as may be specified.

s.9(7)

s.9(3) 2.6.2 DSW shall determine such application –

- (a) by granting the renewal, subject to any reasonable variation of the conditions of the licence as DSW may think fit; or
- (b) by refusing to grant the renewal.

2.7 Cancellation of Licence

s.14 DSW may at any time by notice in writing served on the specified operator of a treatment centre cancel the licence in respect of the centre –

- (a) on the ground that the specified operator or any other person has committed an offence under section 4, 5, 10, 16, 17 or 19 of the Ordinance in respect of the treatment centre;
- (b) on the ground that, in respect of the treatment centre or the drug dependent persons residing in the treatment centre, any requirement, order or direction made or given under the Ordinance has not been complied with;
- (c) on the ground that any condition of the licence has not been or is not being complied with;

- (d) if it appears to DSW that –
 - (i) the treatment centre has ceased to be operated as such or to exist;
 - (ii) the specified operator has ceased to operate the treatment centre; or
 - (iii) on any occasion the treatment centre has been operated in a manner contrary to the public interest; or
- (e) on any ground specified in section 6(4)(a), (b), (c) or (d) of the Ordinance which would entitle DSW to refuse an application for the licensing of the treatment centre.

2.8 Notice of Refusal or Cancellation

- s.15(1) 2.8.1 Before refusing an application for a licence or an application for its renewal, or serving a notice of cancellation of a licence in respect of a treatment centre as mentioned in paragraphs 2.3(b), 2.6.2(b) and 2.7 respectively, DSW shall give to the applicant or the specified operator (as the case may be) notice of his intention to do so, which shall –
- (a) state the grounds on which he intends to refuse the application or serve a notice under section 6(2)(b), 9(3)(b) or 14 of the Ordinance (as the case may be); and
 - (b) contain a statement that such applicant or such specified operator may make written representations to him within 21 days after the day on which such notice of intention is given.
- s.15(2) 2.8.2 DSW may, after 21 days from the day on which the notice of intention as mentioned in paragraph 2.8.1 is given and after considering the written representations (if any) received from the applicant or specified operator, serve on the applicant or specified operator a notice under section 6(2)(b), 9(3)(b) or 14 of the Ordinance, but such notice shall not have effect earlier than 21 days from the day on which such notice is given.

2.9 Display of Licence

- s.12 To assist members of the public to identify the legal status of the treatment centre, the specified operator shall display or cause to be displayed the licence for the time being in force in respect of the treatment centre in a conspicuous place of the centre premises.

CHAPTER 3

CERTIFICATE OF EXEMPTION

3.1 The Policy

Certificates of exemption are to be granted to treatment centres already in operation on or before 31 March 2002 but which are unable to comply fully with the legislative requirements. The reason is to allow these treatment centres to continue operation in the interests of the drug dependent persons. If there is danger to the residents or their well-being may be adversely affected, the certificate of exemption can be revoked.

3.2 Application for a Certificate of Exemption

- s.8(1) & (2) 3.2.1 An application for a certificate of exemption must be made to DSW in the prescribed form LODTC 1 [Appendix 2(a)] on or before 30 June 2002 and accompanied by such information as DSW may require.
- 3.2.2 The procedure of application for a certificate of exemption is the same as that for a licence. For details, please refer to paragraphs 2.2(a) and 2.2(b).

3.3 Issue of Certificate of Exemption

- s.8(3) DSW shall determine an application for a certificate of exemption –
- s.11(2)(d) (a) by issuing to the applicant the certificate of exemption [LODTC 4 at Appendix 2(e)], subject to such reasonable conditions as DSW may impose, for a period not exceeding 12 months; or
- (b) by refusing to issue the certificate of exemption to the applicant.

3.4 Conditions of Exemption

- s.8(3)(a) DSW is empowered to issue a certificate of exemption, subject to such reasonable conditions as DSW may impose which may include –
- (a) requirements relating to construction, design, structure, fire precautions, health, sanitation, safety, accommodation, staffing, equipment and management of the treatment centre as stipulated in this Code of Practice; and
- (b) any other reasonable conditions as deemed fit by DSW.

3.5 Renewal of Certificate of Exemption

- s.9(1) & (2) 3.5.1 The specified operator of a treatment centre may apply to DSW not more than 4 months and not less than 2 months before the expiration of the certificate of exemption, or within such other period prior to the expiry as DSW may in writing permit, for it to be renewed for a period of 12 months or such lesser period as may be specified.
- s.9(7)
- s.9(3) 3.5.2 DSW shall determine such application –
- (a) by granting the renewal, subject to any reasonable variation of the conditions of the certificate of exemption as DSW may think fit; or
 - (b) by refusing to grant the renewal.

3.6 Cancellation of Certificate of Exemption

- s.14 DSW may at any time by notice in writing served on the specified operator of a treatment centre cancel the certificate of exemption in respect of the centre on the same grounds, except the ground stated in paragraph 2.7(e), as those specified in the case of cancellation of licence. For details, please refer to paragraphs 2.7 (a) – (d).

3.7 Notice of Refusal or Cancellation

- s.15(1) 3.7.1 Before refusing an application for a certificate of exemption or an application for its renewal, or serving a notice of cancellation of a certificate of exemption in respect of a treatment centre as mentioned in paragraphs 3.3(b), 3.5.2(b) and 3.6 respectively, DSW shall give to the applicant or the specified operator (as the case may be) notice of his intention to do so, which shall –
- (a) state the grounds on which he intends to refuse the application or serve a notice under section 8(3)(b), 9(3)(b) or 14 of the Ordinance (as the case may be); and
 - (b) contain a statement that such applicant or such specified operator may make written representations to him within 21 days after the day on which such notice of intention is given.
- s.15(2) 3.7.2 DSW may, after 21 days from the day on which the notice of intention as mentioned in paragraph 3.7.1 is given and after considering the written representations (if any) received from the applicant or specified operator, serve on the applicant or specified operator a notice under section 8(3)(b), 9(3)(b) or 14 of the Ordinance, but such notice shall not have effect earlier than 21 days from the day on which such notice is given.

3.8 Display of Certificate of Exemption

s.12

To assist members of the public to identify the legal status of the treatment centre, the specified operator shall display or cause to be displayed the certificate of exemption for the time being in force in respect of the treatment centre in a conspicuous place of the centre premises.

CHAPTER 4

MANAGEMENT

4.1 Admission of Residents

- 4.1.1 Prior to admission, rules and regulations, centre charges, treatment programmes, duration, and criteria for admission and discharge should be explained clearly by the centre staff to the applicant, his guardian/parent/family member/relative and referrer. The centre should also inform the applicant what fees are refundable and what are not.
- 4.1.2 The centre staff should let the applicant, irrespective of whether he is, or will be, a subject of a probation order, understand that -
- (a) the admission is voluntary in nature, subject to the applicant's willingness to follow the admission requirements and abide by the rules and regulations of the centre;
 - (b) the resident may be dismissed by the centre for failing to comply with its rules and regulations; and
 - (c) the resident has the right to initiate request for early discharge.
- 4.1.3 The centre staff should conduct the procedures stated in paragraph 4.1.2 in the presence of a witness, preferably his guardian/parent/family member/relative, before asking the applicant to sign the admission form, giving consent to the admission requirement. Where the applicant is under 18 years old, consent of the guardian/parent should be obtained as well. If the applicant has special difficulty to provide a witness for this purpose, he should be asked to state the difficulty and request for exemption in writing in the admission form.
- 4.1.4 The rules and regulations of the treatment centre should be printed on the admission form and posted up in a conspicuous place in the centre premises.
- 4.1.5 The centre staff should obtain a detailed account of the applicant's drug abuse history, and preferably involving participation of his guardian/parent/family member/relative and referrer. Examples of particular concern in the intake assessment include –
- (a) drugs which are or have been abused by the applicant;
 - (b) effect of such drugs on the applicant concerned; and
 - (c) whether the applicant has passed the initial detoxification period, and not having acute and severe withdrawal symptoms and/or abnormal behaviour (such as showing suicidal signs, aggression or gross self neglect).

4.1.6 The centre should take care that -

- (a) the applicant should have passed the initial detoxification period, and not having acute and severe withdrawal symptoms and/or abnormal behaviour (such as showing suicidal signs, aggression or gross self neglect); or
- (b) such applicant has been assessed by a registered medical practitioner to be medically fit to undergo the residential treatment programme for drug dependent persons. A mental assessment by a psychiatrist is required where necessary, say when the applicant displays or is suspected to have displayed abnormal behaviour. The purpose is to ensure that the applicant is mentally stable (i.e. without suicidal or psychiatric complications) to undergo residential treatment programme for drug dependent persons.

4.1.7 Where necessary, the centre staff should advise the applicant to enroll for a treatment programme as follows before considering his admission -

- (a) (for one assessed medically unfit for undergoing detoxification in a non-medical treatment centre) medical detoxification treatment in a medical treatment centre registered under the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap. 165), or a Methadone Clinic under the Department of Health; or
- (b) (for one assessed mentally unfit for admission into a treatment centre) treatment in a Substance Abuse Clinic under the Hospital Authority.

4.1.8 Tests for blood-borne diseases should **not** be regarded as routine tests or a prerequisite of admission. If the centre requires or arranges any test for blood-borne diseases such as human immunodeficiency virus (HIV) in any medical assessment for the applicant, it should comply with the following requirements -

- (a) the tests to be performed on the relevant sample and the purposes of such tests should be explained to the applicant (e.g. for early treatment and/or prevention of spread of the disease);
- (b) information on the health status and medical treatment of the applicant should be kept **confidential**.^{Note 3} In case where disclosure is considered necessary for the benefit of the applicant concerned, it should be restricted to the designated persons^{Note 4} on a need to know basis;
- (c) specific consent of the applicant, and the guardian/parent for applicant under 18 years old, should be obtained beforehand for -
 - (i) conducting any test for blood-borne diseases; and/or

Note 3 Separate confidential record system, which is only accessible to the designated persons, should be maintained by the centre.

Note 4 The designated person should observe the confidentiality rule of such data.

- (ii) disclosure of such sensitive data to the designated persons; and
- (d) the applicant, and the guardian/parent for applicant under 18 years old, should be informed of his rights of refusal under sub-paragraph (c).

It should be noted that rejection of admission, admission on less favourable terms, or treating one less favourably after admission (such as restriction in activities or in access to facilities or isolation) of any applicant who refuses to undergo such test or to give consent to disclosure of such sensitive data, or who is found infected with any blood-borne disease, may constitute unlawful discrimination under the Disability Discrimination Ordinance (Cap. 487).

4.2 Discharge of Residents

- 4.2.1 To prepare for the discharge of the resident, the treatment centre should render assistance and, if required, make referrals for services in such aspects as accommodation, finance, job/school placement to facilitate the resident's reintegration into the community.
- 4.2.2 If the resident requests for early discharge, the treatment centre should take care of the resident's concerns and well-being carefully, and as far as possible engage the resident and his guardian/parent/family member/relative and referrer to formulate a practicable future plan. Where the resident consents, the centre should consider to refer him to other residential or non-residential drug treatment and rehabilitation services.
- 4.2.3 Method in handling left-behind items should be mutually agreed with the resident as early as possible. Prior to discharge, the resident should also be reminded to check if he has all his belongings packed up. Any left-behind property of the discharged resident should be clearly recorded, properly stored and handled in accordance with the mutually agreed method. In case of difficulty in implementing such mutually agreed method and the property cannot be arranged to be returned to the discharged resident after 3 months, the treatment centre should consider to hand it over to the police for disposal. Police would treat such items as found property.

4.3 Schedule of Daily Activities

A routine programme schedule or time-table for daily activities of the residents should be designed and posted in the treatment centre.

4.4 Staff Duty List

A comprehensive duty list for different posts of staff should be drawn up and a staff duty roster be set for the staff to comply with.

4.5 Medical and Health Care

- 4.5.1 Close supervision should be provided to residents undergoing the initial stage of detoxification. Residents displaying acute and severe withdrawal symptoms, abnormal behaviour (such as showing suicidal signs, aggression or gross self neglect), other acute illnesses or accidental injury should be sent to a nearby Accident and Emergency Department for treatment.
- 4.5.2 Other medical and psychiatric needs of the residents should be properly addressed. In case of reported illness of any resident, due medical and/or psychiatric treatment for him should be arranged as appropriate.
- 4.5.3 The treatment centre should establish clear guidelines and procedures to ensure that any medicine taken by individual resident is in strict adherence to the prescriptions and advice of registered medical practitioners.
- 4.5.4 Over-the-counter medication and prescribed drugs should be properly recorded and kept in a safe and locked place.
- 4.5.5 A satisfactory standard of cleanliness, tidiness and sanitation in the treatment centre should be maintained all the time. The centre should also develop precautionary measures relating to personal and food hygiene for the prevention of spread of infection in the centre.
- 4.5.6 In the event of any resident or staff suffering from any infectious disease, prompt medical consultation should be sought and full compliance with the treatment directives should be observed. Measures of precaution (e.g. disinfection of the soiled environment) should be taken to prevent further spread of the diseases.
- 4.5.7 If any staff or resident is suffering or suspected to be suffering from a notifiable infectious disease, the supervisor should expeditiously report the case to the Department of Health. For this purpose, the patient should be brought to the attention of a registered medical practitioner. The supervisor should also ensure that the case is reported to Licensing Office as soon as practicable. For details of the notifiable infectious diseases, please refer to Schedule 1 of the Quarantine and Prevention of Disease Ordinance (Cap. 141). [The said schedule of version date 1 February 1999 is attached at [Appendix 1\(d\)](#).]
- 4.5.8 Besides notifiable infectious diseases, in the event of an outbreak or suspected outbreak of a communicable disease e.g. influenza, scabies, among staff or residents, which by the nature of communal living in the treatment centre warrants special attention, the supervisor should promptly report the case to the Department of Health for information and advice.
- 4.5.9 The specified operator should ensure that the centre staff and residents receive education on and practise measures of universal precautions to safeguard themselves from being infected with blood-borne diseases such as hepatitis B, hepatitis C and HIV. If any test for blood-borne diseases is to be conducted for any resident, the principles and requirements as laid down in paragraph 4.1.8 should be observed.

4.6 Handling of Fire, Accident and Emergency

The specified operator is responsible for drawing up operational guidelines to be observed by staff as regards the handling procedures, roles and duties of staff concerned and follow-up actions in the event of fire, accident and other types of emergencies (e.g. typhoon, thunderstorm warning, heavy rain warning or landslide) including those involving residents. (Some examples of emergencies involving residents are : a resident displaying acute and serious withdrawal symptoms or drug induced psychotic symptoms, or a resident suffering from acute illness.)

4.7 Record Keeping

4.7.1 The specified operator is required to establish and maintain a record of employees and/or skeleton volunteers in the treatment centre as follows -

- (a) Employees Record, with particulars as follows -
 - (i) personal particulars such as name (Chinese and English), sex, date of birth/age, address, telephone number and Hong Kong Identity Card number;
 - (ii) previous working experience (applicable for the supervisor or an equivalence);
 - (iii) post held in the centre;
 - (iv) monthly salary;
 - (v) working hours and shift of duty;
 - (vi) terms of appointment (e.g. full time, part time, or trainee); and
 - (vii) date of appointment/resignation/dismissal; and/or
- (b) Skeleton Volunteers Record, with particulars as follows -
 - (i) personal particulars such as name (Chinese and English), sex, date of birth/age, address, telephone number and Hong Kong Identity Card number;
 - (ii) previous working experience (applicable for the supervisor or an equivalence);
 - (iii) post held in the centre;
 - (iv) allowance received;
 - (v) serving hours and shift pattern of service; and

(vi) date of commencement/termination of service.

4.7.2 The supervisor of the treatment centre is required to establish and maintain a comprehensive system of records, which the specified operator should also inspect and sign on regular basis to ensure proper functioning of the centre. When inspecting the centre, the Licensing Office may require the production of, and examine or take copies of any record relating to the operation or management of the centre or to any other activity carried out in or in relation to the centre. Such records normally include staff record mentioned in paragraph 4.7.1 and the following records -

(a) Record of Residents, with particulars as follows -

- (i) name (Chinese and English), sex, date of birth/age, Hong Kong Identity Card number and address of each resident;
- (ii) name, address and telephone number of a relative or contact person, if any, of each resident;
- (iii) the date of admission and discharge;
- (iv) drug abuse history;
- (v) record of medical consultation or treatment arranged for the resident on each occasion with the date, time, particulars of the registered medical practitioner and details of the medicines prescribed;
- (vi) record of accident, illness or death (if any) and follow up action taken in that respect; and
- (vii) money or property kept or stored on behalf of each resident by the treatment centre, with written consent obtained from the resident. Record should include the amount of money, other property items, the dates of deposits and the dates on which any money or property item is partially or wholly returned to, reclaimed or used by the resident.

(b) Log Book

Log book is to be used by staff on duty to record important events happened in the centre, irregularities observed in or between individual residents (including the residents' physical, emotional and health conditions), follow-up action on any accident, etc. The record should be properly signed by staff concerned.

(c) Financial Record

A system of accounts clearly showing incomes of various sources (such as fee incomes, charitable funds, public funds and donations) and expenditures (such as personal emoluments/allowances, works expenses

and other charges) of the treatment centre should be properly maintained.

(d) Record of Programmes and Activities

Record of treatment and rehabilitation programmes and activities organized for residents is to be kept. The record should include date, time, type of activities, number of residents participated, responsible staff and any other related information.

(e) Record of Visits

Record of visits to the treatment centre and/or each resident by his guardian/parent/family member/relative and referrer is to be maintained.

(f) Record of Fire Drill

Fire drill or fire alarm test conducted in the centre, and any action taken to remedy defects in fire alarm system should be recorded.

(g) Record of Fire, Accident and Emergency

Record of fire, accident and other emergencies is to be kept. Information should include date, time, details of the incident, residents affected, whether the guardian/parent/family member/relative and referrer of each affected resident is informed, and actions taken. The staff member who handles the incident should sign on the record.

(h) Record of Complaint

Record on complaint or opinion made by residents or any other person relating to the management or operation of the centre and any follow-up action taken in that regard should be kept.

4.7.3 Statistical Record

The supervisor of a treatment centre is required to compile monthly statistics and submit such monthly statistics to the Licensing Office at intervals of not longer than 6 months. The required items for monthly statistics include –

- (a) number of admissions, discharges and dropouts;
- (b) rate of placement occupancy;^{Note 5} and
- (c) rate of completion of the treatment programme.^{Note 6}

^{Note 5} Rate of placement occupancy refers to the number of places occupied, as compared with the capacity of the treatment centre.

^{Note 6} Rate of completion of the treatment programme refers to the number of residents who have undergone and fulfilled the requirements of the agreed residential treatment and rehabilitation programme in the centre, as compared with the number of residents discharged from the centre.

4.7.4 Other Records

- (a) Other records in connection with the operation and management of the treatment centre should be kept properly for easy reference and follow-up actions. Such records may include -
 - (i) correspondence with government departments and/or other agencies;
 - (ii) information of all forms delivered to the residents or public; and
 - (iii) other records as directed by DSW or his representatives.
- (b) The supervisor of a treatment centre is required to furnish, within the specified period, to the Licensing Office such other records as directed by DSW or his representatives.

CHAPTER 5

BUILDING AND ACCOMMODATION

5.1 General

- 5.1.1 All treatment centres shall comply with the relevant provisions of the Buildings Ordinance (Cap. 123) and its subsidiary regulations as well as any requirement made by the Building Authority, or the Housing Authority where appropriate, relating to safety and health standards for private buildings. Formal submission of plans of any new building to be erected for the operation of a centre to the Building Authority, or the Housing Authority where appropriate, for approval is required prior to construction.
- 5.1.2 Each case shall be considered on its merits after full consideration of the circumstances. Nothing contained herein should be taken as in any way derogating from the powers of the Building Authority, or the Housing Authority where appropriate, to secure reasonable and adequate safety and health standards of the buildings.
- 5.1.3 As the subject matters are often related to complicated technical issues which may be difficult to overcome, the applicant is strongly advised to enlist the service of an Authorized Person (AP) (an architect, engineer or surveyor registered under the Buildings Ordinance) at the early stage to avoid unnecessary waste of time and efforts resulting from unsuccessful applications.
- 5.1.4 Where alteration and addition works involving the structure and/or means of escape of a building are to be carried out, formal submission of plans for the proposed works to the Building Authority, or the Housing Authority where appropriate, by an AP and/or Registered Structural Engineer (RSE) is required. It is strongly recommended that the advice of an AP or RSE should be sought well in advance. A Directory of AP and RSE registered under the Buildings Ordinance are available at the web site *www.info.gov.hk/bd* or in the Buildings Department for viewing.

5.2 Restriction on Premises

No part of a treatment centre shall be located in or under any structure built without the approval and consent of the Building Authority, or the Housing Authority where appropriate, unless exempted; or operated in contravention of the provisions of the relevant Outline Zoning Plan, and the permitted user conditions of any government lease or licence issued by the Land Authority.

5.3 Structural Design

- 5.3.1 The minimum imposed load of the premises shall not be less than 2.0 kPa for dormitory areas and 2.5 kPa for living/recreational areas.

5.3.2 The increased loading, caused by internal alterations such as raised flooring and new partition walls, which affects the structure of the building shall be adequately justified by an AP/RSE.

5.3.3 The premises shall be kept in sound structural condition.

5.4 Fire Resisting Construction

5.4.1 Every treatment centre shall be designed and constructed in accordance with the Code of Practice for Fire Resisting Construction 1996 issued by the Building Authority and any subsequent amendments or revisions made.

5.4.2 Some of the general requirements on fire resisting construction include -

- (a) Every element of construction within each compartment and every compartment wall or floor shall have a fire resistance period (FRP) of not less than 1 hour.
- (b) Every treatment centre shall be separated from other parts of the building of different uses by walls and floors of the same FRP as that of the element of construction of the respective uses.
- (c) The kitchen in a treatment centre shall be separated from other parts of the centre premises by walls having a FRP of not less than 1 hour and the door of the kitchen shall have a FRP of not less than 1/2 hour and be self-closing.
- (d) In case where new fire resisting walls, doors and construction are involved, a duly completed Form LODTC 6 [Appendix 2(g)] together with Annex A.2 and Annex A.3] from an AP/RSE shall be submitted on behalf of the applicant to the Building Authority, or the Housing Authority where appropriate, to substantiate the FRP of the fire resisting components.

5.5 Means of Escape

5.5.1 Every treatment centre shall be provided with adequate fire exits and exit routes in accordance with the Code of Practice for the Provision of Means of Escape in case of Fire (the MOE Code) 1996 issued by the Building Authority and any subsequent amendments or revisions made.

5.5.2 The provision of means of escape in any particular floor of a building or in the building as a whole can only accommodate a specified maximum number of persons at any one time. The current MOE Code sets out such limits and relates them to the width and number of exit routes provided for each floor and for the whole building. It follows that if, as a result of the operation of a centre, the existing population figure for a floor or for the building exceeds these limits, a recommendation for rejection of the application will be made. In assessing the

population figures, applications in respect of premises located within the same building will be treated on a first-come-first-served basis.

5.5.3 Some of the general requirements on means of escape include -

- (a) All exit routes shall have a minimum width of not less than 1050 mm, and greater widths would be required depending on the total capacity of the centre. The exit doors shall each have a minimum width of not less than 750 mm for capacity of 30 persons or less; and 850 mm for capacity between 31-200 persons with a minimum total width of 1750 mm. All means of escape shall be kept free from obstruction.
- (b) The clear height in the exit routes shall be not less than 2 m.
- (c) Where the capacity of individual rooms or every storey of a treatment centre exceeds 30 persons, at least 2 exits should be provided and all doors across exit routes shall open in the direction of exit and shall not obstruct any part of the exit routes by the swing of the doors.
- (d) If it is necessary to secure an exit door against entry from outside, the locking device shall be of the type which is capable of being readily opened from the inside without the use of a key.
- (e) Fire-resisting self-closing doors shall not be held in the open position by hooks, wedges or other similar device.
- (f) All required exit routes shall lead directly to a street and the staircase enclosure at G/F shall be so continued at G/F as to separate from the remainder of the building.
- (g) Where the direction of travel from an exit door of a room to a staircase is possible in one direction only (i.e. dead-end), the distance from any part of a room to an exit or a point, from which travel in different directions to 2 or more exits are available, shall not exceed 18 m. In other cases where alternative exit routes are available in more than one direction, it may vary from 30 m to 45 m depending on the fire resisting construction.
- (h) A solid separation of 450 mm long should be provided between the final discharge point of an exit staircase of a building and any other accommodation.
- (i) The capacity of a treatment centre shall be assessed by using an occupancy factor of 3 m² usable floor area per person or on the basis of detailed layout plans.
- (j) Fire engineering approach in accordance with the current MOE Code may be accepted.

5.6 Lighting and Ventilation

- 5.6.1 The ceiling of every habitable room should be situated at a height not less than 2.5 m measuring vertically from the floor or not less than 2.3 m measuring vertically from the floor to the underside of any beam.
- 5.6.2 Every room used for habitation or for the purposes of an office or as a kitchen in a treatment centre shall be provided with natural lighting and ventilation. Such natural lighting and ventilation shall be provided by means of one or more windows facing external air defined in Building (Planning) Regulation 31, having an aggregate area of glass of not less than one-tenth of the floor area of the room; and which can, to an extent at least equal in aggregate to one-sixteenth of the floor area of the room, be openable in accordance with Building (Planning) Regulation 30.
- 5.6.3 Every room containing a soil fitment or waste fitment in a treatment centre shall be provided with a window facing open air defined in Building (Planning) Regulation 2, having an aggregate area of glass of not less than one-tenth of the floor area of the room; and which can, to an extent of not less in area than one-tenth of the floor area of the room, be opened directly into the open air in accordance with Building (Planning) Regulation 36.
- 5.6.4 Exemption from natural lighting and ventilation in kitchen, ancillary office and toilet may be given on condition that artificial lighting and mechanical ventilation not less than 5 air changes per hour are provided to the satisfaction of the Building Authority.
- 5.6.5 Where a room-sealed gas water heater serves a bathroom or is installed in any place in the centre other than in the bathroom, adequate aperture in an external wall with direct access to the external air shall be provided to the satisfaction of the Building Authority.

5.7 Provision of Sanitary Fitments

- 5.7.1 All sanitary fitments, plumbing, drainage works and materials shall be in accordance with the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.
- 5.7.2 The number of watercloset fitments, lavatory basins and baths or showers provided shall be not less than the number specified below -

No. of persons residing or likely to reside in the building	No. of watercloset fitment	No. of lavatory basins	No. of baths or showers
1 - 8 inclusive	1	1	1
9 - 20	2	2	2
For every additional 15 persons or part thereof	1 additional fitment		

CHAPTER 6

FIRE SAFETY

6.1 General

All treatment centres are subject to inspection by the Fire Services Department (FSD) and should comply with any recommendation made by FSD regarding safety and fire precautionary measures.

6.2 Fire Safety Requirements

6.2.1 For centres not exceeding 3-storey in height (FSD may consider to waive some of the requirements based on the merits/constraints of individual treatment centres)

-
- (a) a manual fire alarm system to be provided;
- (b) an emergency lighting system to cover the entire building in particular the exit routes;
- (c) exit signs to be provided;
- (d) portable fire extinguishers, preferably ones using dry powder, and fire blankets, as required by the Director of Fire Services;
- (e) all electric wirings supplying electricity shall be run in metal conduit and be securely fixed on wall/floor;
- (f) observation of fire safety precautions as detailed in section 6.4;
- (g) battery powered smoke detectors to be provided in sleeping accommodation; and
- (h) for centres that are remotely situated with no emergency vehicular access and/or water supply for fire-fighting, a hose reel system with a 2 m³ water tank to be provided.

6.2.2 For new centres exceeding 3-storey in height or forming part of the major development/complex -

- (a) provision of fire service installations and equipment shall be provided in accordance with the current requirements as specified in paragraph 4.31 or 4.32 of the Code of Practice for Minimum Fire Service Installations and Equipment, and

- (b) where emergency vehicular access and/or water supply for fire-fighting are not available, enhanced fire safety requirements may be prescribed by the Director of Fire Services.

6.3 Additional Requirements

- 6.3.1 All fire service installations and equipment installed in the centre premises shall be maintained in efficient working order at all times and inspected by a Registered Fire Service Installations Contractor at least once in every 12 months. A copy of the “Certificate of Fire Service Installations and Equipment” (Form FS 251) issued by the Contractor shall be submitted to DSW as proof of compliance.
- 6.3.2 All fixed electrical installations in the centre premises shall be installed, inspected, tested and certified by an electrical worker and contractor registered with the Director of Electrical and Mechanical Services. A copy of the certificate shall be forwarded to DSW when available as proof of compliance with the provisions in the Electricity Ordinance (Cap. 406), which shall be re-validated every five years thereafter.
- 6.3.3 All gas installation or alteration works at the centre premises must be undertaken by a Registered Gas Contractor in accordance with the Gas Safety Ordinance (Cap. 51). A copy of the certificate of compliance/completion shall be forwarded to DSW when available as proof of compliance with the gas safety regulations and relevant Towngas, or liquefied petroleum gas (LPG) codes of practice. If a piped gas supply, Towngas or LPG central supply is already available in the centre premises, it should be used to supply all gas equipment. Only when a piped-gas supply is not available should consideration be given to using individual LPG cylinders stored in a purposely designed chamber (in accordance with the latest edition of “Gas Utilisation Code of Practice 06 – LPG Installations for Catering Purposes in Commercial Premises” issued by the Gas Authority).
- 6.3.4 Gas appliances installed should be those models equipped with flame failure device. Gas water heaters should be of the room-sealed balanced flue type. All gas equipment should be inspected/maintained annually for safe operation by a Registered Gas Contractor. Documentary proof of continuing annual inspection/maintenance shall be submitted with any application for renewal of licence.

6.4 Fire Safety Precautions

- 6.4.1 No cooking in naked flame is permitted in the centre premises other than in the kitchen. Naked flames shall be handled with care.
- 6.4.2 Where gas appliances are installed –
 - (a) be aware of the users’ instructions provided by the manufacturers when using gas appliances so as to ensure safe operation including gas ignition, etc.; and

- (b) liaise with the Registered Gas Contractor for regular check of the gas appliances as prescribed by paragraph 6.3.4 and safety advice on gas-related matters.

6.4.3 All staff of the treatment centre must be fully conversant with the potential fire danger and any member discovering a fire must –

- (a) give an alarm to warn all other staff and residents;
- (b) ensure that the fire is reported to FSD by telephoning 999; and
- (c) make joint effort with other members of staff to evacuate the residents, particularly those requiring assistance.

6.4.4 Late patrol of the centre premises shall be conducted every night to ensure that –

- (a) all cooking/heating appliances are turned off;
- (b) all doors leading to common corridors are closed;
- (c) no matter or thing is left to obstruct the exit routes; and
- (d) any door along escape routes which is required to be locked should be openable in the direction of egress without the use of key in an emergency.

6.4.5 If gas leakage is suspected, responsible staff must –

- (a) extinguish naked flames
turn off gas taps
not operate electrical switches
open windows and doors wide
- (b) immediately call the gas supplier's emergency number using a telephone remote from the affected area. The gas supply must not be turned on again until it has been checked by the gas supplier's staff or Registered Gas Contractor; and
- (c) **if the gas continues to leak after the taps have been turned off or the smell of gas still persists, responsible staff must –**

immediately call emergency services at 999 and the gas supplier **using an outside telephone**. Evacuate residents from the area to a safe location and await arrival of personnel of emergency services.

6.4.6 The centre shall be under the close supervision of the specified operator or any person designated by him at all times.

6.4.7 Means of communication with FSD shall remain available at all times and the specified operator or any person designated by him shall be responsible for reporting any fire or emergency.

- 6.4.8 Fire drills shall be conducted at least annually. Roll call shall be taken to ensure all persons are accounted for. An evacuation plan shall be drawn up and be submitted to DSW as and when required.
- 6.4.9 Any intended storage or use of dangerous goods as defined in the Dangerous Goods Ordinance (Cap. 295) should be notified to the Director of Fire Services.

CHAPTER 7

PROVISION OF FACILITIES

7.1 Guide on Basic Furniture and Equipment

- 7.1.1 Every treatment centre should, with due consideration of the interest and safety of the residents, provide them with appropriate facilities, furniture and equipment of reasonable standard.
- 7.1.2 All facilities, furniture and equipment should be properly maintained, replaced and renovated.
- 7.1.3 There should be at least one first aid box on each floor, or in each separate unit of the centre if such premises are located at different and non-adjoining units of the same floor. The first aid box should include sufficient stock of first aid materials such as plastic gloves, bandages, elastoplast, dressings, mild antiseptic, ointment suitable for burns and scalds, ointment suitable for stings and bites, etc.

CHAPTER 8

STAFFING

8.1 General

The specified operator should ensure that there are appropriate staff to perform all the jobs of the treatment centre according to the size and enrollment of the centre. Staff should be on duty in the centre for maintenance of basic safety and necessary care to the residents at any time.

8.2 Guiding Principles for Staffing

8.2.1 Specified Operator

Each treatment centre must have a specified operator, to whom a licence or certificate of exemption has been issued or renewed under the Ordinance. The specified operator operates or exercises control over the management of a treatment centre and he is responsible for -

- (a) manpower planning, employment of employees and/or recruitment of volunteers;
- (b) maintenance of records of staff;
- (c) furnishing of plans or diagrams of the premises;
- (d) furnishing of details of fee charging;
- (e) informing the residents in writing of any proposed increase in fee or charge for any service or commodity at least 30 days in advance of the effective date of implementation; and
- (f) ensuring that appropriate guidelines as stipulated in this Code of Practice are established and properly followed.

(Where the specified operator is also responsible for the management of the day-to-day operation of the centre, he should be held responsible for the duties specified for the supervisor in paragraph 8.2.2 as well.)

8.2.2 Supervisor

A supervisor means any person responsible for the management of the day-to-day operation of the centre, and he is responsible for -

- (a) overall administration of the treatment centre;

- (b) planning, organizing and implementation of programmes and activities to meet the needs of the residents in the centre;
- (c) maintaining an acceptable standard of cleanliness, tidiness and sanitation;
- (d) the deployment of staff to meet the operational needs of the centre, and handling other staff matters;
- (e) dealing with all emergency situations;
- (f) maintenance of up-to-date records as stipulated in section 4.7 of this Code of Practice;
- (g) reporting infectious disease as stipulated in paragraphs 4.5.7 and 4.5.8 of this Code of Practice; and
- (h) providing information concerning the centre as required by DSW.

8.2.3 The specified operator should decide other staffing composition, having regard to the operational need of the treatment centre. The following examples are not exhaustive, but are common in the treatment centre -

(a) Social Worker

A social worker means any person whose name appears on the register of social workers kept under the Social Workers Registration Ordinance (Cap. 505). The social worker is responsible for rendering professional input through a course of well-structured and goal-oriented activities geared towards the well-being of residents.

(b) Peer Counsellor

A peer counsellor means any rehabilitated person responsible for the duties of rendering daily and personal care as well as advice to the residents in the centre so as to facilitate their rehabilitation.

(c) Ancillary Worker

An ancillary worker means any person, other than a social worker or peer counsellor, employed/recruited by the specified operator. The ancillary worker can refer to a cook, domestic servant, driver, watchman, welfare worker or clerk, and is responsible for carrying out duties relating to the daily care of the residents and/or clerical support to the centre.

8.2.4 Owing to differences in treatment approaches, treatment centres may establish different staffing composition. For example, treatment centres adopting a religious approach may arrange religious personnel to help in the implementation of the treatment and rehabilitation programmes, whereas treatment centres adopting a “family” approach may likely engage volunteers to help.

8.3 Conditions of Service

8.3.1 Hours of work

Staff may be arranged to work on shift so as to keep the centre manned round-the-clock. The number of working hours is usually agreed upon in the contract of employment between the employer and employee. If volunteers constitute part or whole of the centre staff, the number of service hours should also be mutually agreed between the specified operator and the volunteers.

8.3.2 Sick leave

The employees' entitlement to paid sick leave should be in line with Part VII of the Employment Ordinance (Cap. 57).

8.3.3 Maternity leave

Female employees entitled to maternity leave should be given such leave and where applicable, payment for such leave at a rate as specified in Part III of the Employment Ordinance.

8.3.4 Statutory holidays and annual leave

All employees shall be granted statutory holidays and annual leave in accordance with the conditions as set forth in Part VIII and Part VIIIA of the Employment Ordinance.

8.3.5 Termination of service

(a) Subject to the Employment Ordinance and the terms of the relevant contract, either party to a contract of employment may at any time terminate the contract by giving the other party notice, orally or in writing, of his intention to do so. The length of notice required to terminate a contract of employment should be in accordance with Part II of the Employment Ordinance.

(b) The employee's right to severance payment and long service payment as spelled out in Part VA and Part VB of the Employment Ordinance should be followed.

8.3.6 Insurance

All employees should be covered by the employees' compensation insurance in accordance with the Employees' Compensation Ordinance (Cap. 282).

8.3.7 Mandatory Provident Fund

The specified operator is required to observe the requirements regarding the establishment of mandatory provident fund for the centre employees in

accordance with the Mandatory Provident Fund Schemes Ordinance (Cap. 485). Enquiries in relation to this fund can be made to the Mandatory Provident Fund Schemes Authority.

8.3.8 Others

Employment policy should comply with the provisions in the Employment Ordinance. Enquiries on matters related to personnel or employment can be made to the Labour Relations Division of the Labour Department.

8.4 Staff Training

8.4.1 All staff of the treatment centre should preferably have a basic knowledge of first aid. It is desirable that at least one staff member in the treatment centre has completed a course in first aid and holds a valid first aid certificate.

8.4.2 The treatment centre should arrange training to enhance the knowledge and skills of staff in providing treatment and rehabilitation services to drug dependent persons. Such training may cover topics such as handling drug withdrawal symptoms, universal precaution of HIV, approaches to eradicate psychological dependence on drugs, and knowledge on abused drugs.

8.5 Staff Changes

8.5.1 The specified operator should inform DSW in writing within 14 days, of any change in the supervisor, or an equivalence, of the treatment centre.

8.5.2 It is the responsibility of the specified operator or any person designated by him to submit to DSW a list of employees and/or skeleton volunteers within 14 days, if so required by DSW in writing.

8.6 Importation of Staff

The specified operator should observe the terms and conditions of employment for staff imported under the Supplementary Labour Scheme, and such terms and conditions should be stipulated in the employment contract. The specified operator may be legally responsible for any violation of the immigration and labour rules and regulations in relation to the imported staff. Enquiries on such matters can be made to the Importation of Workers Division of the Labour Department.

CHAPTER 9

SOCIAL AND JOB SKILL TRAINING

9.1 Drug Treatment and Rehabilitation Programmes and Activities

- 9.1.1 Owing to different background, different treatment centres have adopted different approaches in the treatment and rehabilitation of the residents. Some common, but not exhaustive, examples are the religious therapeutic approach and the therapeutic community model. Work therapy is also given greater significance in the treatment process. The Department's policy is to let the centres continue to have the autonomy in the choice of suitable approaches, programmes and activities for the treatment and rehabilitation of the residents. The following principles are to be observed in the planning of such programmes and activities.
- 9.1.2 The programmes and activities organized for the residents, either in groups or individually, should be well-structured, goal-oriented and gearing towards the needs of the residents and the ultimate goal of reintegrating them into the community. Residents should be briefed of these programmes and activities upon admission. The schedule of such programmes and activities should also be clearly displayed on notice boards for information of the residents.
- 9.1.3 To achieve better communication with and involve participation of the residents' guardians/parents/family members/relatives and referrers in the rehabilitation process, it is desirable for the centre staff to brief them the treatment and rehabilitation programmes upon admission of the residents.
- 9.1.4 If any programme or activity requires coaching or supervision from trained personnel to ensure its safe implementation, the specified operator should ensure that people possessing relevant qualification are arranged to conduct the programme or activity or supervise its process.
- 9.1.5 The centre should, with due consideration of the treatment and rehabilitation progress of individual residents, involve participation of their guardians/parents/family members/relatives throughout the treatment and rehabilitation process as much as possible. This serves the aim of enhancing the supportive network of the residents and may be achieved by engaging their guardians/parents/family members/relatives in various goal-directed programmes and activities.

9.2 Outdoor Activities

Where the centre programmes include outdoor activities, the centre should develop operational guidelines and procedures in respect of different types of outdoor activities to ensure safety of the residents taking part in such activities. The following points are to be taken into consideration when drawing up the guidelines and procedures -

- (a) Adequate manpower of staff;
- (b) Responsible staff should be familiar with the route to and the surrounding environment of the spot chosen for the outdoor activity. A site visit to the spot before the event is desirable;
- (c) Arrangement of transportation with regard to safety issues;
- (d) Formulation of pre-contingency and contingency plans in case of weather changes such as tropical typhoon, and other emergencies including illness of residents, loss of contact, outbreak of fire and insufficiency of foodstuff or water;
- (e) Ensuring proper handling of food and hygiene;
- (f) Availability of staff or other persons with experience and skills necessary for implementation of the activity;
- (g) Availability of first aid box with sufficient stock of first aid materials; and
- (h) Other relevant safety concerns should be addressed for specific outdoor activities such as hiking, cycling, camping, swimming, other marine sports, etc.

9.3 Job Skill Training

9.3.1 Where any job skill training venue is set up in any centre premises, the specified operator should make sure that every practicable measure is adopted to safeguard the occupational safety and health of all persons participating in or conducting such job skill training in such premises.

9.3.2 For example, the specified operator should, as far as practicable, ensure that –

- (a) machines are properly maintained with the dangerous parts effectively guarded;
- (b) no person under 18 performs cleaning of the machine when any of its dangerous part is in motion;
- (c) platforms or pits are securely fenced to avoid any person falling from height;
- (d) dangerous goods are properly stored;
- (e) the means of escape are safe and free from obstruction with illuminated exit signs installed at all exits;
- (f) the training venues are kept clean and provided with adequate ventilation and lighting;

- (g) the training venues are provided with effective means for drainage so that wetness of the floor can be avoided;
- (h) a separate first aid facility is provided and maintained in each training venue. Such facility should be clearly marked “FIRST AID” and contain the items specified in Schedule 2 of the Occupational Safety and Health Regulation (Cap. 509A). [The said schedule of version date 1 January 1998 is attached at Appendix 1(e)];
- (i) where manual handling operations which may create safety and health risks are practicably unavoidable, appropriate steps are taken to reduce the safety and health risks to the lowest level that is reasonably practicable. In general, such steps may include -
 - (i) preliminary risk assessment of the operations;
 - (ii) provision of relevant information concerning the load to the residents/staff concerned;
 - (iii) assessment of the competencies of the residents/staff in undertaking such operations;
 - (iv) provision of mechanical aids and protective equipment for use of the residents/staff while such operations are performed; and
 - (v) assignment of adequate number of residents/staff to perform such operations; and
- (j) any dangerous occurrence (such as fire) or any accident causing death or serious bodily injury at the training venue is reported in writing to an occupational safety officer of the Labour Department and the Licensing Office within 24 hours after the time of occurrence.

9.3.3 A resident starting to attend any job skill training programme or having a change in training type should first be given orientation and then appropriate supervised training.

9.3.4 Relevant safety instructions written in simple and clear wording should be properly posted in a conspicuous place in all training venues and near the machines.

9.3.5 The provisions in the Occupational Safety and Health Ordinance (Cap. 509) and its subsidiary regulations should be complied with.

9.3.6 The treatment centre should also make reference to the Factories and Industrial Undertakings Ordinance (Cap. 59) and its subsidiary regulations for safety standards appropriate to their specific job skills training situations. There are statutes prescribing safety measures for, say, woodworking machinery, guarding and operation of machinery, noise at work, protection of eyes, etc.

9.3.7 The treatment centre is encouraged to approach the Occupational Safety and Health Branch of the Labour Department for assistance and advice. The aim is to ensure that the machines installed in any job skill training venue of the centre premises are safe and adequate measures are adopted to safeguard the occupational safety and health of the residents and staff therein.

9.4 Aftercare Services

9.4.1 After the discharge of the resident, necessary services and assistance may be rendered to the resident and his guardian/parent/family member/relative to facilitate their mutual adjustment and reintegration of the resident into the community.

9.4.2 An aftercare service plan should include a specific time frame involving specific actions to be taken by the staff and the resident, working towards agreed objectives.

CHAPTER 10

VISITS BY PARENTS AND GUARDIANS

10.1 Guiding Principles for Visits

- 10.1.1 The specified operator is responsible for ensuring that opportunities and suitable facilities are provided for visits to the residents in the centre by their guardians/parents/family members/relatives at regular intervals.
- 10.1.2 The treatment centre should develop a statement which stipulates the visiting time-table, facilities provided for the residents and the visitors as well as other arrangements connected with visits. Such statement should be brought to the attention of the residents and their guardians/parents/family members/relatives, and displayed in a conspicuous place of the centre for their easy reference.

CHAPTER 11

SECURITY MEASURES

11.1 Possible Measures to Ensure Smooth Operation and A Drug Free Environment in the Centres

- 11.1.1 The treatment centre may adopt any practicable and reasonable measure as is necessary to ensure its smooth operation and its being free from illicit drugs. Such measures should be specified by the treatment centre in its admission rules. In respect of any measure which may interfere with the rights of the resident, the centre should obtain the resident's prior consent to the carrying out of all such measures. To ensure that such consent is given voluntarily, the centre should observe the procedures as stipulated in paragraphs 4.1.2 and 4.1.3 of this Code.
- 11.1.2 The treatment centre may set any lawful and reasonable rule or regulation to protect the residents from undesirable external interference and to exercise effective control of the centre premises. These rules or regulations may cover such aspects as the reception of visitors and the enforcement of security measures.
- 11.1.3 The treatment centre is encouraged to, having regard to the preliminary plan of individual resident in eradicating drug dependence, prepare jointly with the resident a detailed treatment plan that may help such resident to stand against undesirable external interference while undergoing treatment or rehabilitation. Reasonable consequences, as mutually agreed by the centre and the resident concerned, may be imposed for non-compliance.
- 11.1.4 The treatment centre should clearly explain to the residents and their guardians/parents/family members/relatives, and where appropriate, friends in individual, group or mass treatment programmes, the centre rules and regulations that aim at ensuring a drug free environment in the centre premises. The centre should advise the resident against any act in relation to illicit drugs including the unlawful use of such drugs, and of the possible consequences of breaching such rules.
- 11.1.5 If there is reasonable ground to believe that any resident is in contravention of the Dangerous Drugs Ordinance (Cap. 134), e.g. by having in his possession any illicit drug, the treatment centre should report the case to the police for investigation.

CHAPTER 12

CONDUCT OF CENTRES

12.1 Service Ethics

- 12.1.1 The specified operator should ensure that practice of the treatment centre has a primary orientation to safeguard the best interest and well-being of the residents.
- 12.1.2 Every resident of the treatment centre should be informed of the requirements of the centre, possible consequences for non-compliance of such requirements, as well as the resident's rights and obligations.
- 12.1.3 Information in all forms delivered to the residents or public in relation to the treatment centre including objectives and contents of service, facilities, staffing, charges, admission and discharge procedures, etc. should be accurate and reflecting the truth.
- 12.1.4 The specified operator of a treatment centre should be vigilant of any abuse of worker-resident relationship by the staff in pursuit of personal interests.
- 12.1.5 The practice of social workers in the treatment centre should be consistent with the Code of Practice for Registered Social Workers issued under the Social Workers Registration Ordinance (Cap. 505).
- 12.1.6 If and when fee for service is required while the resident or prospective resident is experiencing financial constraints, the specified operator should consider to refer him for necessary assistance and services as appropriate. This will better ensure that such resident or prospective resident will not be denied of timely services.

12.2 Rights and Welfare of Service Recipients

- 12.2.1 The treatment centre should develop guiding principles and operational procedures to ensure that the residents are treated in a manner in compliance with the Personal Data (Privacy) Ordinance (Cap. 486) and Hong Kong Bill of Rights Ordinance (Cap. 383).
- 12.2.2 It is desirable for the centre to arrange briefing, guidance or other forms of training to enhance staff's understanding of such guiding principles and operational guidelines.
- 12.2.3 Privacy and Confidentiality
 - (a) The resident's right to privacy should be protected and respected at all times. The operation and practice of the treatment centre should be consistent with the provisions in the Personal Data (Privacy) Ordinance (Cap. 486). The treatment centre shall not do an act, or engage in a practice, that contravenes a data protection principle, unless the act or

practice (as the case may be) is required or permitted under the Personal Data (Privacy) Ordinance.

- (b) In the course of collecting personal data from the resident, his guardian/parent/family member/relative and referrer, the centre should clearly inform them of the voluntary basis on which the data is provided, the purpose of collecting the data, how such data may be used as well as the limit of confidentiality.
- (c) Upon request for access to and/or correction of personal data, the requestor should be informed about and provided with the means for making such request.
- (d) Publication of case material involving the personal data of resident, his guardian/parent/family member/relative and referrer will require their respective consent. The centre should still make the necessary and responsible effort to ensure that such personal data are directly related to the purpose of collection and the data are not excessive in relation to that purpose.

12.2.4 Protection of Correspondence

Every resident should be offered basic facilities and adequate opportunities for correspondence with his guardian/parent/family member/ relative and referrer. Correspondence in this context refers both to written and telephone contacts.

12.2.5 Complaints, Opinions and Suggestions

- (a) Guidelines on the procedures in handling complaints, opinions or suggestions should be developed. The specified operator should ensure that complaints, opinions and suggestions are properly addressed and responded.
- (b) The centre should inform the resident, his guardian/parent/family member/relative and referrer of their rights to raise complaints, opinions and suggestions, the procedures involved in raising these issues and how the centre would address such issues. The centre should also facilitate them to make use of the relevant mechanism.

12.2.6 Protection of Property Right of the Resident

- (a) The operation and practice of the treatment centre should give respect to the property right of resident. Policy statement and guiding principles on protection of such right should be drawn up and observed by staff.
- (b) Operational guidelines regarding proper handling of the personal belongings and property of the resident should be laid down and followed by the staff. Such guidelines should be based on the requirements set out in paragraph 4.7.2(a)(vii) of this Code of Practice.

- (c) If any money or property is to be kept or stored on behalf of the resident by the centre, consent from the resident concerned should be obtained. At the same time, the resident should be explained about his right and the arrangement to reclaim his money or property.
- (d) Precautionary measures should be devised to provide an environment to ensure safety and security of the personal belongings and property of the residents.

12.2.7 Protection from Abuse

- (a) The specified operator is responsible for providing a secure environment to protect the residents from exploitations and abuse of any kind including physical, psychological and sexual.
- (b) Guiding principles and procedural guidelines are to be formulated for protection of residents from any form of abuse. Adequate monitoring and supervision are to be rendered to ensure that such principles and guidelines are properly followed in the treatment centre.

12.2.8 Freedom of Thought, Conscience and Religion

- (a) Every resident shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom to manifest his religion or belief in worship, observance, practice and teaching.
- (b) No resident shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

12.2.9 Right to Medical Care

- (a) The specified operator should ensure that no resident is deprived of his right of access to facilities for the treatment of illness and rehabilitation of health.
- (b) The specified operator should ensure that appropriate action is to be taken to secure proper medical care and attention for every resident as warranted for full protection of the resident's physical and mental health. In this connection, it is important that the treatment centre should have a contingency plan to deal with all emergency needs for medical care and attention.

12.2.10 Rights of Guardian

Every treatment centre should take care of the rights of the parent/guardian with respect to any resident who is a minor. The centre should inform the parent/guardian of any such resident, and where necessary obtain his consent to, any significant matter related to such resident throughout the treatment and rehabilitation process. In case any such resident insists for an early discharge,

the centre should make the best endeavour to discuss with his parent/guardian about the discharge arrangement.

12.3 Preventive Measures Against Corruption

- 12.3.1 Measures to guard against any possible chance for corruption and bribery should be developed. All treatment centre staff should be advised in writing that soliciting or accepting any advantage from any person in relation to the operation or business of the centre without permission may constitute an offence under section 9 of the Prevention of Bribery Ordinance (Cap. 201). Advantage is defined in section 2 of the Prevention of Bribery Ordinance to mean almost anything which is of value, except entertainment. Common examples of “advantage” include any gift (both of money and in kind), loan, fee, reward, commission, office, employment, contract, service, favour, etc. The treatment centre should also issue notices to residents and their guardians/parents/family members/relatives, and where appropriate, friends to remind them not to offer any advantage to staff. Reports of suspected corrupt acts should be made to the Independent Commission Against Corruption (ICAC) on the Reported Hotline - 2526 6366.
- 12.3.2 The treatment centre should draw up rules on conflict of interest for observance by all centre staff. A conflict of interest arises when the financial or other personal interests of a centre staff member, his family members, relatives or close personal friends or any person to whom he owes a favour conflict or compete with the interests of the centre. If any conflict of interest cannot be avoided, for example, when a candidate for employment, a supplier of goods or services to the centre or a drug dependent person seeking the centre’s service is the family member, relative or close personal friend of a centre staff member, he should make a declaration of such conflict to the centre management and either refrain from dealing with the matter or follow the instruction of the centre management. In dealing with any supplier of goods or services to the centre, a staff member should also avoid putting himself in a position of obligation by accepting frequent or lavish entertainment or accepting favour, etc. from the supplier.
- 12.3.3 The drug treatment centre should promulgate a clear policy on the admission and discharge of residents, precautionary measures on the security of personal belongings and property of the residents, the enforcement of the security measures in the centre and the consequences of residents breaching the centre regulations. Such a policy would be conducive to the reduction of corruption opportunities.

- THE END -

APPENDICES / ANNEXES

NOTES

APPENDICES / ANNEXES

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| 11. | Licence of Treatment Centre [LODTC 3] | 2(d) |
| 12. | Certificate of Exemption of Treatment Centre [LODTC 4] | 2(e) |
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Annex A3 |

Notice on Provision of Personal Data to Social Welfare Department
*(Please read this notice before you provide any personal data
to the Social Welfare Department.)*

1. Purposes of Collection

The personal data supplied by you will be used by the Social Welfare Department (SWD) to provide appropriate assistance or service from SWD which is relevant to your needs, including monitoring and review of services and conducting of research and surveys, and for discharging statutory duties. The provision of personal data to SWD is voluntary. If you do not provide sufficient personal data, we may not be able to process your application or provide assistance/service to you.

2. Classes of Transferees

The personal data you provide will be made available to persons working in the department on a need-to-know basis. Apart from this, they may only be disclosed to the relevant parties listed below :

- (a) other parties such as government branches/departments, non-governmental organisations and public utility companies if they are involved in the assessment of application from or provision of service/assistance to you.
- (b) where you have given consent to such disclosure; or
- (c) where such disclosure is authorized or required by law.

3. Access to Personal Data

Apart from exemptions provided under the Personal Data (Privacy) Ordinance, you have a right of access to and correction of personal data held on you except where the data have been erased after fulfilling the purposes of collection. Your right of access includes the right to obtain a copy of your personal data subject to payment of a fee. An application for access to or correction of data should be made either on an application form or by a letter. Application forms are available at offices / centres of SWD.

4. Enquiries, access to and correction of personal data

- 4.1 Please ensure that the data you provide are accurate. If you have enquiries concerning your application for assistance/service or if there are changes in the data you provide, please contact the office which collected the data from you.
- 4.2 Requests for access to personal data collected by SWD and correction of data obtained from a data access request should be addressed to Deputy Secretary (Discipline / Access to Information), Social Welfare Department.

Guidance Notes on Submission of Building Plans

- (1) 5 sets of building plans should be submitted. Each plan should be duly signed by the applicant (if the applicant is an individual) or stamped with the company/organization chop (if the applicant is a company or an organization).
- (2) Name of treatment centre (in Chinese and English), address (in Chinese and English) and the date of submission should be clearly written on each plan.
- (3) Each plan should be drawn to the scale of 1:100 or 1:50. For part plan, 1:20 is also acceptable.
- (4) The area of the treatment centre to be licensed should be demarcated in red on the plan.
- (5) The use of various parts or areas of the centre premises should be specified. Detailed measurements in metric of all rooms, corridors, passages, exit doors, etc. should be shown. Rooms of the same use should be numbered.
- (6) Calculation of the area of all rooms, corridors, passages, etc. should be correctly shown.
- (7) The total net floor area of the proposed premises should be indicated.
- (8) The position of all columns, doors, windows, parapets, partitions, sanitary fittings, gates, fire service installations and equipment, false ceiling and all other fixture and fittings should be shown and annotated.
- (9) Number and locations of gas stoves and gas heaters, type of gas in use and location of LPG chamber (if applicable) should be indicated.
- (10) The height of ceiling of all parts of the centre premises, measuring vertically from floor should be shown.
- (11) Walls should be indicated by double lines.
- (12) The construction material of any proposed partition walls and exit doors should be indicated.
- (13) The shape of the centre premises shown in the plan should be same as the actual shape.
- (14) Should there be the need (e.g. complicated drawings requiring professional knowledge), the applicant should appoint a professional to prepare the plans

Chapter:	455	Title:	ORGANIZED AND SERIOUS CRIMES ORDINANCE	Gazette Number:	L.N. 11 of 2000
Schedule:	1	Heading:	OFFENCES RELEVANT TO DEFINITIONS OF "ORGANIZED CRIME" AND "SPECIFIED OFFENCE"	Version Date:	14/01/2000

[sections 2 & 31]

Common law offences

1. murder
2. kidnapping
3. false imprisonment
4. conspiracy to pervert the course of justice

Statutory offences

	Offence	Description*
5.	Import and Export Ordinance (Cap 60) section 6A section 6C section 6D(1) and (2) section 6E section 18	import or export of strategic commodities import of certain prohibited articles export of certain prohibited articles carriage, etc. of prescribed articles in Hong Kong waters importing or exporting unmanifested cargo
6.	Immigration Ordinance (Cap 115) section 37D(1) section 38(4) section 42(1) and (2)	arranging passage to Hong Kong of unauthorized entrants carrying an illegal immigrant false statements, forgery of documents and use and possession of forged documents
7.	Dangerous Drugs Ordinance (Cap 134) section 4(1) section 4A(1) section 6(1)	trafficking in dangerous drugs trafficking in purported dangerous drugs manufacturing a dangerous drug
8.	Gambling Ordinance (Cap 148) section 5 section 7(1)	operating, managing or controlling gambling establishment bookmaking
9.	Societies Ordinance (Cap 151) section 19 section 21 section 22	penalties on an office-bearer, etc. of an unlawful society allowing a meeting of an unlawful society to be held on premises inciting etc., a person to become a member of an unlawful society
10.	Money Lenders Ordinance (Cap 163) section 24(1)	lending money at an excessive interest rate
11.	Crimes Ordinance (Cap 200) section 24 section 25 section 53 section 54 section 55	threatening a person with intent assaulting with intent to cause certain acts to be done or omitted causing explosion likely to endanger life or property attempt to cause explosion, or making or keeping explosive with intent to endanger life or property making or possession of explosive

section 60	destroying or damaging property
section 61	threats to destroy or damage property
section 71	forgery
section 75(1)	possessing a false instrument with intent
section 98(1)	counterfeiting notes and coins with intent
section 100(1)	custody or control of counterfeit notes and coins with intent
section 105	importation and exportation of counterfeit notes and coins
section 118	rape
section 119	procurement of person by threats
section 120	procurement of person by false pretences
section 129	trafficking to or from Hong Kong in persons
section 130	control over person for purpose of unlawful sexual act or prostitution
section 131	causing prostitution of person
section 134	detention of person for unlawful sexual act or in vice establishment
section 137	living on earnings of prostitution
section 139	keeping a vice establishment
12. Theft Ordinance (Cap 210)	theft
section 9	robbery
section 10	burglary
section 11(1)	fraud (Added 45 of 1999 s. 6)
section 16A	obtaining property by deception
section 17	obtaining a pecuniary advantage by deception
section 18	procuring false entry in certain records
section 18D	false accounting
section 19	blackmail
section 23(1) and (4)	handling stolen goods
section 24(1)	
13. Offences against the Person Ordinance (Cap 212)	shooting or attempting to shoot, or wounding or striking with intent to do grievous bodily harm
section 17	
14. Firearms and Ammunition Ordinance (Cap 238)	possession of arms or ammunition without licence
section 13	dealing in arms or ammunition without a licence
section 14	
14A. Trade Descriptions Ordinance (Cap 362)	offences in respect of infringement of trade mark rights
section 9(1) and (2)	import or export of goods bearing forged trade mark
section 12	
(provided that for the purpose of this Ordinance, an offence under section 12 of the Trade Descriptions Ordinance does not include an offence relating only to false trade description)	being accessory to certain offences committed outside Hong Kong (Added L.N. 11 of 2000)
section 22	
(provided that for the purpose of this Ordinance, "offence under this Ordinance" referred to in section 22 of the Trade Descriptions Ordinance only means an offence under-	
(a) section 9(1) or (2) of that Ordinance; or	
(b) section 12 of that Ordinance,	

Chapter:	141	Title:	QUARANTINE AND PREVENTION OF DISEASE ORDINANCE	Gazette Number:	L.N. 346 of 1998
Schedule:	1	Heading:	INFECTIOUS DISEASES	Version Date:	01/02/1999

[sections 2 & 72]

1. Acute poliomyelitis
2. Amoebic dysentery
3. Bacillary dysentery
- 3A. Chickenpox (Added L.N. 346 of 1998)
4. Cholera
5. Dengue fever
6. Diphtheria
7. Food poisoning
8. Legionnaires' disease
9. Leprosy
10. Malaria
11. Measles
12. Meningococcal infections
13. Mumps
14. Paratyphoid fever
15. Plague
16. Rabies
17. Relapsing fever
18. Rubella
19. Scarlet fever
20. Tetanus
21. Tuberculosis
22. Typhoid fever
23. Typhus
24. Viral hepatitis
25. Whooping cough
26. Yellow fever

(Remark : This Schedule as mentioned in this Code of Practice means the updated version of the Schedule. The version in this Appendix, which is downloaded from the website of Bilingual Laws Information System of the Department of Justice (www.justice.gov.hk) on 20 December 2001, is solely for reference.)

Chapter:	509A	Title:	OCCUPATIONAL SAFETY AND HEALTH REGULATION	Gazette Number:	L.N. 618 of 1997
Schedule:	2	Heading:	ITEMS CONTAINED IN FIRST AID FACILITY	Version Date:	01/01/1998

[sections 17, 18 & 19]

PART I

WORKPLACES AT WHICH THE NUMBER OF EMPLOYEES
EMPLOYED IS LESS THAN 10

1. A copy of the leaflet, issued by the Commissioner, giving advice on first aid treatment.
2. At least 1 small sterilized unmedicated dressing for injured fingers.
3. At least 1 medium-sized sterilized unmedicated dressing for injured hands or feet.
4. At least 3 adhesive wound dressings of assorted sizes.
5. At least 1 triangular bandages of unbleached calico, the longest side of the bandage measures not less than 1.3 m and each of the other sides not less than 900 mm.
6. At least 1 roll of adhesive plaster (zinc oxide), approximately 25 mm wide and at least 2 m long.
7. At least 1 packet of absorbent cotton wool of 30 g.
8. A pressure bandage.
9. Safety pins.

PART II

WORKPLACES AT WHICH THE NUMBER OF EMPLOYEES
EMPLOYED IS 10 OR MORE BUT LESS THAN 50

1. A copy of the leaflet, issued by the Commissioner, giving advice on first aid treatment.
2. At least 6 small sterilized unmedicated dressings for injured fingers.
3. At least 3 medium-sized sterilized unmedicated dressings for injured hands or feet.
4. At least 12 adhesive wound dressings of assorted sizes.
5. At least 2 triangular bandages of unbleached calico, the longest side of each bandage measures not less than 1.3 m and each of the other sides not less than 900 mm.
6. At least 1 roll of adhesive plaster (zinc oxide), approximately 25 mm wide and at least 4.5 m long.
7. At least 3 packets of absorbent cotton wool each of 30 g.
8. A pressure bandage.
9. Safety pins.

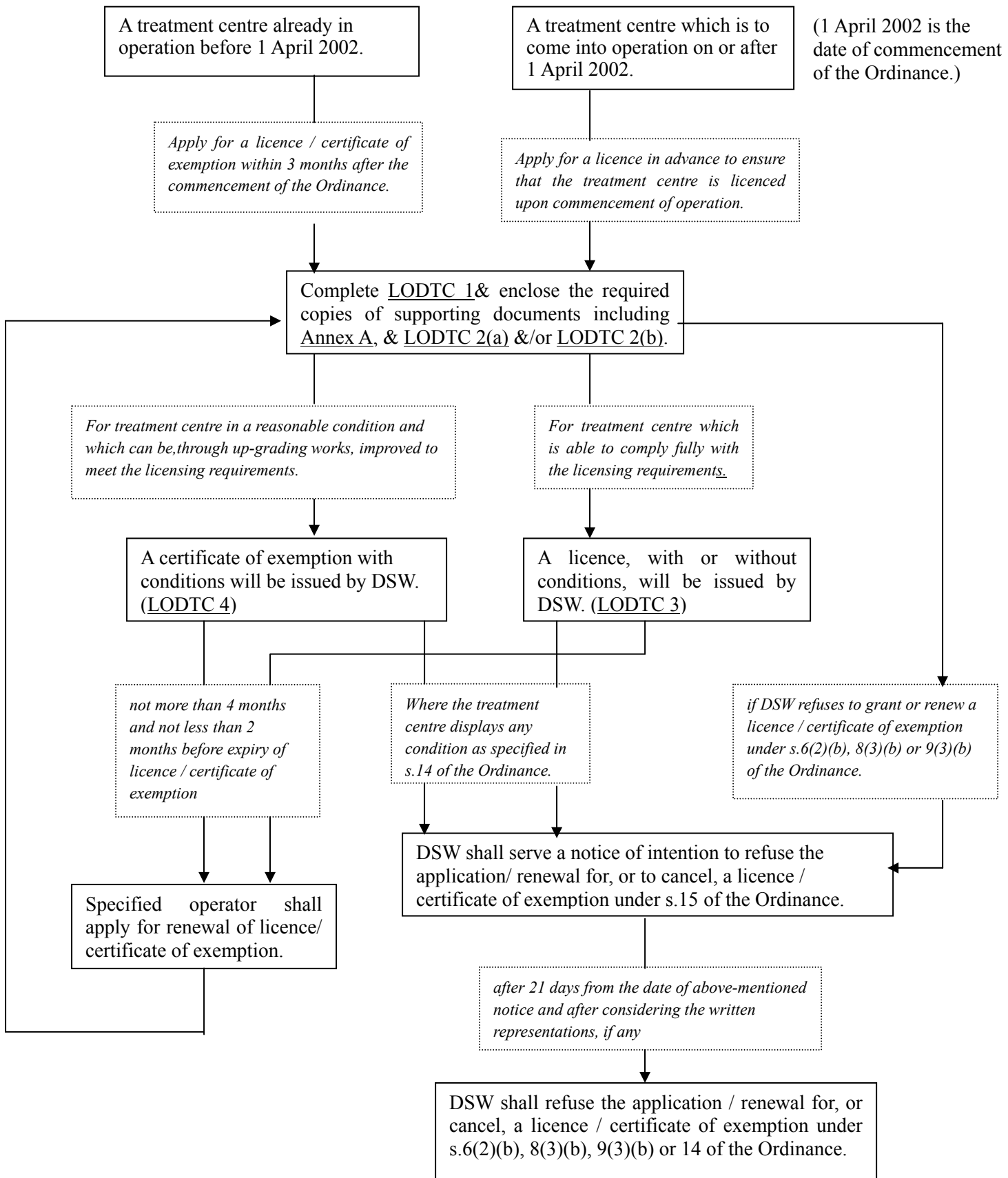
PART III

WORKPLACES AT WHICH THE NUMBER OF EMPLOYEES
EMPLOYED IS 50 OR MORE

1. A copy of the leaflet, issued by the Commissioner, giving advice on first aid treatment.
2. At least 12 small sterilized unmedicated dressings for injured fingers.
3. At least 6 medium-sized sterilized unmedicated dressings for injured hands or feet.
4. At least 24 adhesive wound dressings of assorted sizes.
5. At least 4 triangular bandages of unbleached calico, the longest side of each bandage measures not less than 1.3 m and each of the other sides not less than 900 mm.
6. At least 1 roll of adhesive plaster (zinc oxide), approximately 25 mm wide and at least 4.5 m long.
7. At least 6 packets of absorbent cotton wool each of 30 g.
8. A pressure bandage.
9. Safety pins.

(Remark : This Schedule as mentioned in this Code of Practice means the updated version of the Schedule. The version in this Appendix, which is downloaded from the website of Bilingual Laws Information System of the Department of Justice (www.justice.gov.hk) on 20 December 2001, is solely for reference.)

FLOW CHART
Application / Renewal for a Licence / Certificate of Exemption
under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance



**DRUG DEPENDENT PERSONS TREATMENT AND REHABILITATION CENTRES
(LICENSING) ORDINANCE (CAP. 566)**

**APPLICATION / RENEWAL * FOR
A LICENCE / CERTIFICATE OF EXEMPTION ***

- Remark :** (i) Before filling in the form, please read the Notice on Provision of Personal Data to Social Welfare Department. [Appendix 1(a) of the Code of Practice for Drug Dependent Persons Treatment and Rehabilitation Centres]
- (ii) Please read the notes on page 8 before submission.
- (iii) Applicant must complete Sections I, II, III(A) or III(B) and IV in English or Chinese.

Section I Type of application #

[] Application is hereby made for a Licence under section 6(1) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.

[] Application is hereby made for a renewal of Licence under section 9(1) & 9(2) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.

Existing Licence Number : _____

[] Application is hereby made for a Certificate of Exemption under section 8(1) & 8(2) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.

[] Application is hereby made for a renewal of Certificate of Exemption under section 9(1) & 9(2) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.

Existing Certificate of Exemption Number : _____

* Delete where appropriate

Tick in the appropriate bracket

Section II Particulars of the treatment centre in respect of which this application is sought.

(a) Name of the treatment centre in English :

(b) Name of the treatment centre in Chinese :

(c) Full address of the treatment centre *(Please include DD & Lot number of all premises)* :

(d) Number of building structures occupied by the treatment centre : _____

(e) Number of units / floors occupied by the treatment centre : _____ units / _____ floors

(f) Telephone number : _____

(g) Fax number : _____

(h) Email address : _____

(i) Nature of the treatment centre #

- Subvented *(Please go to item (k).)*
 Self-financing and non-profit-making *(Please go to item (k).)*
 Private and profit-making *(Please continue in item (j).)*

(j) Ownership of business # *(For completion if the treatment centre is a private establishment)*

- Sole proprietorship
 Partnership
 Incorporation

* Delete where appropriate
Tick in the appropriate bracket

Section III Particulars of the applicant *(Please complete either part (A) or (B).)***Part (A) Particulars to be completed by the applicant if the treatment centre is operated by sole proprietor**(a) Full name of the applicant *(must be the same as shown on HKIC)* :*(in English)* : Mr/Mrs/Miss/Ms _____
(surname first) (other names)*(in Chinese)* : _____

(b) Hong Kong Identity Card number : _____

(c) Residential address :

<i>Flat/Room</i>	<i>Floor</i>	<i>Block</i>	<i>Name of building</i>	<i>(Hong Kong / Kowloon / New Territories *)</i>
<i>Number and name of street/estate</i>	<i>District</i>			

(d) Correspondence address *(if different from (c) above)*

<i>Flat/Room</i>	<i>Floor</i>	<i>Block</i>	<i>Name of building</i>	<i>(Hong Kong / Kowloon / New Territories *)</i>
<i>Number and name of street/estate</i>	<i>District</i>			

(e) Telephone number : *(residence)* _____ *(office)* _____

(f) Fax number : _____

(g) Email address : _____

(h) Position held in the treatment centre : _____

(i) Name of the company *(if applicable)**(in English)* : _____*(in Chinese)* : _____

(j) [] # Fit Person Statement (Annex A) is attached.

Licensing Office of
Drug Dependents Treatment Centres

Part (B) Particulars to be completed by the applicant if the treatment centre is operated by a body corporate / partnership *

(a) Name of the company / non-government organization * (*if applicable*)

(*in English*) :

(*in Chinese*) :

(b) Business Registration number (*if applicable*): _____

(c) Certificate of Incorporation number (*if applicable*): _____

(d) Name of responsible person of the Company/Non-government Organization/Partnership* :

Mr/Mrs/Miss/Ms*

(*English, surname first*)

(*Chinese*)

(e) Position held in the company / non-government organization * :

(f) Address of the company / non-government organization / responsible partner *

Flat/Room

Floor

Block

Name of building

(Hong Kong / Kowloon /

Number and name of street/estate

District

New Territories *)

(g) Telephone number : _____

(h) Fax number : _____

(i) Email address : _____

* Delete where appropriate
Tick in the appropriate bracket

(j) Particulars of **all** partners / **all** directors *

(i) Mr/Mrs/Miss/Ms* _____

*(English, surname first)**(Chinese)*

Hong Kong Identity Card number : _____

Fit Person Statement (Annex A) is mailed separately/attached in sealed envelope /
attached unsealed *.

(ii) Mr/Mrs/Miss/Ms* _____

*(English, surname first)**(Chinese)*

Hong Kong Identity Card number : _____

Fit Person Statement (Annex A) is mailed separately/attached in sealed envelope /
attached unsealed *.

(iii) Mr/Mrs/Miss/Ms* _____

*(English, surname first)**(Chinese)*

Hong Kong Identity Card number : _____

Fit Person Statement (Annex A) is mailed separately/attached in sealed envelope /
attached unsealed *.

(iv) Mr/Mrs/Miss/Ms* _____

*(English, surname first)**(Chinese)*

Hong Kong Identity Card number : _____

Fit Person Statement (Annex A) is mailed separately/attached in sealed envelope /
attached unsealed *.Additional sheet (stating particulars of _____ (*number*) other partners / directors*)* is
/ is not * attached.* Delete where appropriate
Tick in the appropriate bracket

Licensing Office of
Drug Dependents Treatment Centres

Section IV Declaration of the applicant

I declare that :

- (a) the information in this application is true and correct to the best of my knowledge and belief; and
- (b) the operation, keeping, management or other control of the treatment centre referred to in Section II above is under my continuous and personal supervision.

Date : _____ Signature of applicant : _____

Company / Organization chop* :
(if applicable) : _____

<u>WARNING</u>

<p>Any person who in or in connection with this application makes any statement (whether such statement be oral or written), or furnishes any information, which is false or misleading in a material particular and which he/she knows or reasonably ought to know is false or misleading in such particular, shall be guilty of an offence under section 10 of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap.566). The supply of such false or misleading information may also prejudice the application or renewal of a licence / certificate of exemption.</p>

* Delete where appropriate
Tick in the appropriate bracket

Note : The applicant should forward the following documents, either by registered post, or in person to the Licensing Office of Drug Dependents Treatment Centres, Social Welfare Department –

- (1) The original and three copies of this application form;
- (2) Photocopy of the Hong Kong Identity Cards ^{Endnote 2} of –
the individual applicant (if the applicant is an individual);
all partners (if the applicant is a partnership); or
all director(s) (if the applicant is a corporate body);
- (3) Photocopy of (i) the Business Registration Certificate and (ii) certified copy of Business Registration Application issued by the Commissioner of Inland Revenue (applicable for a partnership);
- (4) Photocopy of Certificate of Incorporation issued by the Registrar of Companies (applicable for an incorporated company);
- (5) Photocopy of the tenancy agreement and/or documents showing the land status (e.g. Government Land Licence, Land Lease, Short Term Tenancy or Short Term Waiver, etc.) and the expiry dates for such use in respect of the centre premises, (applicable for rented premises);
- (6) Photocopy of the assignment in respect of the treatment centre premises (applicable for self-owned premises);
- (7) 5 copies of building plans of the premises of the treatment centre in metric and to scale (not less than 1:100);
- (8) Full list of employees (employed / to be employed) and/or skeleton volunteers, using the prescribed form LODTC 2 and/or LODTC 2(a); and
- (9) Fit person statement, using the prescribed form Annex A (to be completed by the applicant; or by **all** partners / **all** directors where the applicant is a partnership / body corporate). The statement may be returned apart from the application form for personal privacy purpose.

Endnote 1 Operator of a treatment centre holds the responsibility to ensure compliance with the conditions of the Deed of Mutual Covenant.

Endnote 2 Applicant may, as an alternative, produce the original Hong Kong Identity Card(s) for checking.

Fit Person Statement

Remark : 1. The following information is collected for the purpose of assessing whether the person below is a fit person as stipulated in section 7 of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap.566).

2. For the purpose of protecting your data privacy, you may choose to separate this sheet from the application form, seal it in an envelope and mail to the Licensing Office of Drug Dependents Treatment Centres, Social Welfare Department direct.

_____ (Name of treatment centre)

I, _____ (Name), holder of Hong Kong Identity Card number _____, hereby state that -

- (a) I have / have not * been convicted of criminal offence(s) ^{Note 1} as specified in section 7(1)(b) or (c) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance in the 10 years immediately prior to the date of this application.

* Details of such criminal convictions in the 10 years immediately prior to the date of this application are as follows -

Date(s) of conviction(s)

Offence(s)

_____	_____
_____	_____
_____	_____

Place(s) of conviction(s)

Sentence(s)

_____	_____
_____	_____
_____	_____

^{Note 1} Criminal convictions to be reported are convictions in Hong Kong of any offence specified in Schedule 1 of the Organized and Serious Crimes Ordinance (Cap.455), and convictions elsewhere of any offence constituted by an act or omission that, if it had occurred in Hong Kong, would have constituted an offence specified in the said Schedule.

* Delete where appropriate

Fit Person Statement (cont'd)

- (b) I have / have never had * experience of drug dependence.
(If no experience of drug dependence, please delete (c).)
- (c)* I have / have not * been a drug dependent person ^{Note 2} continuously in the 7 years immediately prior to the date of this application. I have abstained from drug since _____ (month/year) *.
- (d) I understand that under section 10 of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance, giving false or misleading statement is an offence liable to a fine and imprisonment for 6 months on conviction.

Date : _____

Signature : _____

Name : _____

^{Note 2} Drug dependent person means a person who –
(a) is suffering from the psychophysical state in which the usual or increasing dose of a dangerous drug (as defined in the Dangerous Drugs Ordinance (Cap. 134)) or a specified substance are required to prevent the onset of withdrawal symptoms; or
(b) has completed treatment for drug dependence and is undergoing rehabilitation at a treatment centre.

* Delete where appropriate

Employees Record

Name of treatment centre : _____

Address : _____

Date of reporting : _____

Name (in English)	Name (in Chinese)	Sex	HKIC No.	Date of commencement of employment	Post Held	Working Hours (per day / per month)	Working Time (e.g. 9 a.m. – 5 p.m.)	Qualification

Signature _____
Name of reporting staff (_____)

Skeleton Volunteers Record

Name of treatment centre : _____

Address : _____

Date of reporting : _____

Name (in English)	Name (in Chinese)	Sex	HKIC No.	Date of commencement of service	Post Held	Hours of Service (per day / per month)	Time of Service (e.g. 9 a.m. – 5 p.m.)	Qualification

Signature _____
Name of reporting staff (_____)

Drug Dependent Persons Treatment And Rehabilitation Centres (Licensing) Ordinance (Chapter 566)

藥物倚賴者治療康復中心(發牌)條例 (香港法例第五六六章)

Licence Number

牌照編號

Licence of Treatment Centre

治療中心牌照

1. This licence is issued under section 6(2)(a) / 9(3)(a) * of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance in respect of the under-mentioned treatment centre –
茲證明下述治療中心已根據《藥物倚賴者治療康復中心(發牌)條例》第6(2)(a)條/第9(3)(a)條*獲發牌照 –
2. Particulars of the treatment centre –
治療中心資料 –
- (a) Name: (in English) _____ Name: (in Chinese) _____
名稱: (英文) _____ 名稱: (中文) _____
- (b) Address: _____
地址: _____
- (c) Premises of operation:
可開設治療中心的處所: _____
as more particularly shown and described on Plan Number _____ deposited with and approved by me.
其詳情見於圖則第 _____ 號, 該圖則現存本人處, 並經本人批准。
- (d) Maximum number of residents that the treatment centre is capable of accommodating is _____
治療中心可收納入住者的最多人數
3. Particulars of the specified operator to whom this licence is issued –
獲發上述治療中心牌照指明營辦者的資料 –
- (a) Name: (in English) _____ Name: (in Chinese) _____
姓名: (英文) _____ 姓名: (中文) _____
- (b) Address: _____
地址: _____
4. The person/company named in paragraph 3 above is authorized to operate or exercise control over the management of this treatment centre.
第3段所述的人士/公司已獲批准營辦上述治療中心或對上述治療中心的管理行使控制權。
5. This licence is valid for _____ months effective from the date of issue to cover the period from _____ to _____ inclusive.
本牌照由簽發日期起生效, 有效期為 _____ 個月, 由 _____ 至 _____ 止, 首尾兩天計算在內。
6. This licence is issued subject to the following conditions –
本牌照附有下列條件 –

7. In the event of a breach of or a failure to perform any of the conditions set out in paragraph 6 above, this licence may be cancelled in exercise of the powers vested in me under section 14(c) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.
倘若上述治療中心違反或未能履行以上第6段所列的任何條件, 本人可行使《藥物倚賴者治療康復中心(發牌)條例》第14(c)條賦予本人的權力, 撤銷本牌照。

(Signed)
(簽署)

_____)

Date 日期

Director of Social Welfare
Hong Kong Special Administrative Region
香港特別行政區社會福利署署長

WARNING : Licensing of a treatment centre under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance does not release the operator or any other person from compliance with any requirement of the Buildings Ordinance or any other Ordinance relating to the premises, nor does it in any way affect or modify any agreement or covenant relating to any premises in which the treatment centre is operated.

警告: 治療中心根據《藥物倚賴者治療康復中心(發牌)條例》獲發給牌照, 並不表示其經營者或任何其他人士毋須遵守《建築物條例》或任何其他與該處所有關的條例的規定, 亦不會對與開設該治療中心的處所有關的任何合約或租約條款有任何影響或修改。

Drug Dependent Persons Treatment And Rehabilitation Centres (Licensing) Ordinance (Chapter 566)

藥物倚賴者治療康復中心(發牌)條例 (香港法例第五六六章)

Certificate
Number
證明書編號Certificate of Exemption of Treatment Centre
治療中心豁免證明書

1. This certificate of exemption is issued under section 8(3)(a) / 9(3)(a) * of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance in respect of the under-mentioned treatment centre –
茲證明下述治療中心已根據《藥物倚賴者治療康復中心(發牌)條例》第8(3)(a)條／第9(3)(a)條*獲發豁免證明書 –
2. Particulars of the treatment centre –
治療中心資料 –
- (a) Name: (in English) _____ Name: (in Chinese) _____
名稱: (英文) _____ 名稱: (中文) _____
- (b) Address: _____
地址: _____
- (c) Premises of operation:
可開設治療中心的處所: _____
as more particularly shown and described on Plan Number _____ deposited with and approved by me.
其詳情見於圖則第 _____ 號, 該圖則現存本人處, 並經本人批准。
- (d) Maximum number of residents that the treatment centre is capable of accommodating is _____
治療中心可收納入住者的最多人數
3. Particulars of the specified operator to whom this certificate of exemption is issued –
獲發上述治療中心豁免證明書指明營辦者的資料 –
- (a) Name: (in English) _____ Name: (in Chinese) _____
姓名: (英文) _____ 姓名: (中文) _____
- (b) Address: _____
地址: _____
4. The person/company named in paragraph 3 above is authorized to operate or exercise control over the management of this treatment centre.
第3段所述的人士/公司已獲批准營辦上述治療中心或對上述治療中心的管理行使控制權。
5. This certificate of exemption is valid for ___ months effective from the date of issue to cover the period from _____ to _____ inclusive.
本豁免證明書由簽發日期起生效, 有效期為 _____ 個月, 由 _____ 至 _____ 止, 首尾兩天計算在內。
6. This certificate of exemption is issued subject to the following conditions –
本豁免證明書附有下列條件 –

7. In the event of a breach of or a failure to perform any of the conditions set out in paragraph 6 above, this certificate of exemption may be cancelled in exercise of the powers vested in me under section 14(c) of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance.
倘若上述治療中心違反或未能履行以上第6段所列的任何條件, 本人可行使《藥物倚賴者治療康復中心(發牌)條例》第14(c)條賦予本人的權力, 撤銷本豁免證明書。

Date 日期(Signed)
(簽署)

(_____)

Director of Social Welfare

Hong Kong Special Administrative Region
香港特別行政區社會福利署署長

WARNING : The issue of a certificate of exemption to a treatment centre under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance does not release the operator or any other person from compliance with any requirement of the Buildings Ordinance or any other Ordinance relating to the premises, nor does it in any way affect or modify any agreement or covenant relating to any premises in which the treatment centre is operated.

警告: 治療中心根據《藥物倚賴者治療康復中心(發牌)條例》獲發給豁免證明書, 並不表示其經營者或任何其他人士毋須遵守《建築物條例》或任何其他與該處所有關的條例的規定, 亦不會對與開設該治療中心的處所有關的任何合約或租約條款有任何影響或修改。

Notification of Convictions

I, _____ (name), holder of Hong Kong Identity
Card number _____ and the post of _____ (post) in
_____ (name of
treatment centre), hereby notify the Director of Social Welfare that –

- (a) I have been convicted of criminal offence(s) ^{Note 1} in Hong Kong or elsewhere on
_____ (date).

Details of the convicted offence(s) and sentence(s) * are as follows –

Date(s) of
conviction(s)

Offence(s)

Place(s) of
conviction(s)

Sentence(s)

- (b) A signed authorization form to Hong Kong Police is attached.

Signature : _____

Name : _____ Date: _____

Responsible Person of the body corporate / partnership *

(if the specified operator/applicant is a body corporate or partnership)

Name _____ Signature _____

Company / Organization * Chop
(if applicable)

* : Delete as appropriate

^{Note 1} Criminal convictions to be reported are convictions in Hong Kong of any offence specified in Schedule 1 of the Organized and Serious Crimes Ordinance (Cap.455), and convictions elsewhere of any offence constituted by an act or omission that, if it had occurred in Hong Kong, would have constituted an offence specified in the said Schedule.

CONFIDENTIAL 機密

Licensing Office of
Drug Dependents Treatment Centres

AUTHORIZATION

I _____ hereby authorize the Commissioner of Police, or his representative, to release full particulars of any and all criminal convictions recorded against me to Social Welfare Department. I also agree to my fingerprint impressions being taken by the Police in connection with this application, if required for the purpose of verifying my criminal record. My personal particulars are as follows -

Name _____

Date of Birth _____

HK Identity Card No. _____

Passport No. _____

Chinese Commercial Code Nos. _____

(as recorded on the applicant's HK
Identity Card - where applicable) _____ / _____ / _____

Place of Birth _____

(Signature of applicant)

Date _____

Witnessed by ^{Note 1} _____ Designation _____

HKID Card No. _____

^{Note 1} The witness must be an official of the Social Welfare Department.

CONFIDENTIAL 機密

Certificate of Accepted Building Materials and Products

BD Ref.: _____

Date: _____

Re: _____
(Address of the Centre)

To Building Authority,

I confirm that accepted building materials and products have been specified in the above building construction and duly endorse the attached Schedule of Building Materials and Products (Annexes A.2 & A.3).

I hereby certify that the building materials and products listed in the attached Schedule are acceptable products under relevant building regulations and that I am satisfied with the application and performance of these products.

Signature of Authorized Person /
Registered Structural Engineer

Schedule of Building Materials and Products

Re: _____
(Address of the Centre)

(A) Fire Resisting Products

Building Product	Proprietary Name	Fire Resisting Performance ^{Note 1}		Compliance with relevant Building Regulations & Code of Practice	Relevant test reports or assessment reports with name of laboratory, report no., validity date & name of laboratory accreditation body (copy attached)	Remarks/Comments (including the location of the installed fire resisting products)
		Integrity	Insulation			
a) Fire resisting doorset						
b) Fire resisting glazing						
c) Others (ie proprietary products, fire shutter, sealing system, wall, etc)						

Signature of Authorized Person/Registered Structural Engineer

^{Note 1} The performance on stability has to be demonstrated where applicable.

Schedule of Building Materials and Products (cont'd)

(B) Other Building Materials and Products

Building Product	Proprietary Name	Compliance with relevant Building Regulations & Code of Practice	Relevant test reports, assessment reports or supporting documents with name of laboratory, report no., validity date & name of laboratory accreditation body (copy attached)	Remarks/Comments (including the location of the products)
a) Glazing barrier				
b) Others				

I confirm that the above mentioned building products have been tested or assessed as stated and hereby certify that the application and performance of these products comply with the relevant Building Regulations.

Signature of Authorized Person/Registered Structural Engineer

Date

