



Office of The Ombudsman



Direct Investigation Report

Hong Kong Airport Authority's Mechanism for Issuing Airport Restricted Area Permits

April 2017

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1

INTRODUCTION

BACKGROUND

1.1 As one of the world’s major transport hubs, Hong Kong International Airport serves tens of millions of passengers and handles tens of thousands of flights annually. The Hong Kong Airport Authority (“AA”), the statutory body responsible for airport management, organises visits from time to time for engaging stakeholders from various sectors. In general, visitors are required to make prior application to AA for Visitor Pass. On the day of the visit, they must also go through identity verification before obtaining the Visitor Pass to enter the airport restricted area (“the Restricted Area”).

1.2 Not long ago, the media reported that when an organisation (“Organisation X”) visited the airport one day, one of its participants was not carrying an Identity Card. However, AA issued a Control Authority Permit to that person, who was then allowed to visit the Aerodrome Control Tower. There were views in the community that AA had violated the established procedures, thereby creating a security loophole.

1.3 To look into this issue, The Ombudsman initiated this direct investigation on 23 September 2016 against AA under section 7(1)(a)(ii) of The Ombudsman Ordinance to probe whether there are any deficiencies in AA’s mechanism for issuing various types of Restricted Area permits in connection with visits to the airport.

PROCESS OF INVESTIGATION

1.4 To obtain a better understanding of the above incident and AA's standards, procedures and justifications for issuing various types of Restricted Area permits in connection with visits to the airport, we have scrutinised the information provided by AA, including its Airport Restricted Area Permit System Manual ("the Manual"), and discussed with AA's senior management during the course of our investigation.

1.5 On 24 February 2017, we issued our draft investigation report to AA for comments. This investigation report, incorporating AA's comments, was completed on 20 April 2017.

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AA'S MECHANISM FOR ISSUING RESTRICTED AREA PERMITS

VISITOR PASS

2.1 Any person who needs access to the Restricted Area must apply for a Visitor Pass via a sponsoring organisation. The Visitor Pass application form, together with the applicant's photograph, should be submitted to the relevant office of the Aviation Security Company Limited ("AVSECO")¹ for vetting and processing. The Visitor Pass is valid for a maximum of seven days. Holders of the Visitor Pass must be under escort at all times by a holder of an Airport Permit with escort authority (denoted by an "E" endorsement).

2.2 The holder of an Airport Permit with the "E" endorsement must be a direct employee of a sponsoring organisation, which is normally an organisation playing an active role in airport operations, e.g. AA, airline companies, Government departments, airport service franchisees/licensees or contractors of AA. To become such a sponsoring organisation, an organisation is required to submit a written application with supporting information to prove to AA's Airport Management Director that it has a business requirement for access to the Restricted Area.

¹ AVSECO, a subsidiary company established by AA and supervised by AA's Security Section, is responsible for providing aviation security services within the airport area, including Visitor Pass processing and other relevant day-to-day operational matters.

2.3 In AA, holders of Airport Permits with the “E” endorsement are at supervisory rank or staff authorised by AA. The escorting officer shall be responsible for the conduct and safety of the Visitor Pass holders under escort and shall accompany them at all times in the Restricted Area. Under no circumstances should a Visitor Pass holder be left unattended.

SPECIAL VISITOR PASS

2.4 Same as the Visitor Pass, any application for the Special Visitor Pass should be submitted via a sponsoring organisation. The Special Visitor Pass shall be issued only to those who, for business reasons, need to have short-term or *ad hoc* access to the Restricted Area under escort (such as controlled groups of visitors, participants of incident drills and VIPs). After the applicant has completed the application form, the application will normally be approved on the same day. For controlled group visits, AA generally applies for Special Visitor Pass collectively for all participants in the group. The group is usually required to provide relevant information 14 days before the visit for vetting and processing by AVSECO. On the day of the visit, AA checks the visitors’ Identity Cards before handing out the Special Visitor Passes to them.

2.5 Holders of the Special Visitor Pass are subject to the same Conditions of Issue applicable to the Visitor Pass. Such conditions include:

- producing the Pass to security officers at designated entry and exit points for checking;
- displaying the Pass prominently while inside the Restricted Area;
- complying with all reasonable directions given by officers at the entry points or inside the Restricted Area; and
- being under escort at all times by a holder of an Airport Permit with the “E” endorsement.

Visitors must return their Passes immediately upon leaving the Restricted Area.

2.6 As distinguished from the Visitor Pass which displays the visitor’s photograph, the Special Visitor Pass only shows the visitor’s name and identity card

number (Figures 1 to 3).



Figure 1: Front side of Visitor Pass

(Source: The Manual)



Figure 2: Front side of Special Visitor Pass

(Source: The Manual)



Figure 3: Rear side of Visitor Pass and Special Visitor Pass

(Source: The Manual)

CONTROL AUTHORITY PERMIT

2.7 Controlling authorities operating at the airport (including AA) can apply for and hold Control Authority Permits. Controlling authorities can allow persons in need of urgent access to the Restricted Area for official duty or business reason to use

their Control Authority Permits. They have discretion over the use of such Permits.

2.8 As far as AA is concerned, AVSECO will, prior to each visit, have some Control Authority Permits ready for its urgent use. A holder of an Airport Permit with the “E” endorsement can, under circumstances prescribed by AA, ask AVSECO to issue a Control Authority Permit to a visitor. However, the prescribed circumstances slightly vary from visit to visit. In case of an emergency under non-prescribed circumstances, the holder of an Airport Permit with the “E” endorsement must seek advice from the senior management before making any decision.

2.9 Before issuing a Control Authority Permit, the holder of an Airport Permit with the “E” endorsement must verify the identity of the visitor. Should a visitor forget to bring along his/her Identity Card, AA normally asks the visitor to provide other documents that could help verify his/her identity (such as driving licence, credit card or name card, etc.) and may, where necessary, ask any fellow visitors to help verify the identity. AA will issue a Control Authority Permit to the visitor only after his/her identity has been confirmed.

2.10 A person entering the Restricted Area with a Control Authority Permit (**Figure 4**) must be under escort at all times by an authorised Airport Permit holder from the controlling authority. The Control Authority Permit must be returned immediately after use to AVSECO to be kept under lock and key.



Figure 4: Front and Rear sides of Control Authority Permit

(Source: The Manual)

SECURITY MEASURES WITHIN THE RESTRICTED AREA

2.11 The Restricted Area of the airport consists of Ordinary Airport Restricted Area and Enhanced Security Restricted Area.

2.12 To enter the Ordinary Airport Restricted Area, visitors must first present their Visitor Passes (including Special Visitor Passes) or their Control Authority Permits to the AVSECO staff at the entrance. The AVSECO staff then check the status of the Passes on the computer before granting them access to the Restricted Area. Once inside the Restricted Area, the visitors must go through screening by an X-ray scanner and pass through a metal detector archway, just like what any ordinary airline passengers have to do.

2.13 To gain access to the Enhanced Security Restricted Area (including the Integrated Airport Centre (“IAC”) and the Aerodrome Control Tower), all visitors and their belongings must go through yet another security screening. In suspicious cases, AVSECO conducts even more stringent checks. All lifts, entrances and exits of the Enhanced Security Restricted Area can only be activated by the access cards of authorised Airport Permit holders.

2.14 Different operation zones within the Restricted Area are monitored by different airport operation organisations. For instance, the Aerodrome Control Tower is managed by the Civil Aviation Department, and the IAC is under AA’s control. All visitors, regardless of whether they are holding a Visitor Pass or a Control Authority Permit, must notify in advance the relevant organisation and be under escort by its officers before entering a certain operation zone.

3

THE INCIDENT

3.1 The incident regarding Organisation X’s visit, as mentioned in **paragraph 1.2** above, is detailed as follows.

3.2 Organisation X sent a request to AA one month before its intended date of visit to the airport. AA accepted the application and, in the capacity of sponsoring organisation, proceeded with processing Special Visitor Passes for Organisation X (**paragraph 2.4**).

3.3 As per AA’s request, two weeks before its visit to the airport, Organisation X provided the Chinese and English names, Identity Card numbers, contact telephone numbers and post titles of all participants of the visit.

3.4 On receipt of the above information, AA forwarded Organisation X’s application to AVSECO for issuance of Special Visitor Passes, which were then issued four days before Organisation X’s visit. On the day of the visit, AA handed out the Special Visitor Passes to the visitors after checking their Identity Cards.

3.5 As it happened, the chief delegate of Organisation X (“the Chief Delegate”) was not carrying an Identity Card and as a result, was unable to collect a Special Visitor Pass. To make sure that the visit could proceed, AA issued a Control Authority Permit to the Chief Delegate.

3.6 The group was under escort by AA staff throughout the visit that day, which included a tour to the HKIA Tower (機場行政大樓) and the IAC. AA staff first briefed the group on the development of the airport at the HKIA Tower, which is outside the Restricted Area, then led them through security clearance and proceeded to the IAC,

which is inside the Restricted Area. During the visit, the Chief Delegate, on behalf of Organisation X, gave a speech and presented souvenirs to AA. Among all the sites the participants visited that day, only the IAC is within the Restricted Area. **They did not visit the Aerodrome Control Tower.**

3.7 At the end of the visit, Organisation X returned all the Special Visitor Passes and the Control Authority Permit to AA before leaving.

4

AA'S EXPLANATION OF THE INCIDENT

4.1 AA has indicated to this Office that over the years, it has organised many visits and activities of different nature to engage stakeholders from various sectors so that they can have a better understanding of the operation and latest development of the airport. Such visits also provide an opportunity for AA to listen to the stakeholders' views. Visitors that AA has received included schools, community groups, non-profit-making organisations, professional bodies, chambers of commerce, Legislative Council Members, District Councillors, political parties and think tanks.

4.2 Organisation X is a think tank. On business level, AA arranges visits and exchange activities for think tanks from time to time to facilitate their studies on relevant public policies.

JUSTIFICATION FOR ISSUING SPECIAL VISITOR PASSES

4.3 As mentioned in **paragraph 2.4** above, Special Visitor Passes can be issued to controlled groups of visitors under escort at all times by sponsoring organisations and accepted by AA. The permits processed by AA for visiting groups, therefore, have always been the Special Visitor Passes and those for Organisation X were no exception.

4.4 Organisation X followed the standard procedures (**paragraph 2.4**) and submitted all the necessary information two weeks prior to the visit, and AA immediately went on to process the Special Visitor Passes. On the day of the visit, AA staff handed out the Special Visitor Passes to the visitors after verifying their identities.

JUSTIFICATION FOR ISSUING CONTROL AUTHORITY PERMIT

4.5 AA has explained to us that AA is among the controlling authorities listed in the Manual. As a controlling authority, AA may in accordance with the procedures issue the Control Authority Permit to any visitors when necessary, for example, visitors for whom Special Visitor Passes have already been arranged but who have forgotten to bring along their identification/travel documents on the day of the visit. Such visitors are then under escort by an authorised Airport Permit holder of a controlling authority (AA staff in this case) and can visit the Restricted Area.

4.6 On the day of Organisation X's visit, the AA staff who received Organisation X followed the established procedures and, with proper justification, requested AVSECO to issue the Control Authority Permit, after learning that the Chief Delegate was not carrying an Identity Card. AVSECO thus issued the Control Authority Permit to the Chief Delegate pursuant to paragraph 6.2.1 of the Manual². Under escort by AA staff during the whole visit, the Chief Delegate returned the permit to AA before leaving.

PLACES VISITED BY ORGANISATION X

4.7 AA has further pointed out that, contrary to what was reported in the media (**paragraph 1.2**), Organisation X had not entered the Aerodrome Control Tower during the visit. Among all the sites that the participants visited, only the IAC is within the Restricted Area. As the central control centre of the airport, the IAC is responsible for monitoring all the daily operations including the airfields, the Baggage Hall and Terminals, as well as all the road facilities to ensure smooth operation in all aspects. In case of emergencies or severe weather conditions, an emergency centre consisting of representatives from various departments concerned will be set up in the IAC to handle contingencies.

² "The Control Authority Permit should only be issued to persons in circumstances where urgent access into the Airport Restricted Area is required for official duty or business reason, at the discretion of the respective controlling authorities."

CRITERIA FOR IDENTITY VERIFICATION

4.8 On the question of verification of identity, although the Chief Delegate of Organisation X was not carrying an Identity Card, AA did not have any doubt on the identification because:

- (1) the participants from Organisation X were expected visitors whose information AA had received prior to the day of the visit; and
- (2) the AA staff member who had business contacts with the Chief Delegate was present on that day.

5

OUR COMMENTS

5.1 Having carefully examined the information and explanation provided by AA, we have the following comments.

5.2 Under its current mechanism for issuing Restricted Area permits, before each visit, AA requests visitors to submit their personal particulars for vetting before issuing Visitor Passes or Special Visitor Passes to them. Such permits are handed out only after identity verification is completed on the day of the visit. In case of unexpected events, even officers who are at the supervisory level with an Airport Permit denoted by the “E” endorsement can only request AVSECO to issue a Control Authority Permit to a visitor under certain prescribed circumstances and after verification of identity. Whichever permit is granted for entry to the Restricted Area, the visitor must be under escort at all times and return the permit when the visit is finished (**paragraphs 2.1 to 2.10**). This shows that AA has in place a dedicated mechanism for issuing Restricted Area permits.

5.3 Moreover, visitors are required to go through multiple security clearances before entering the Restricted Area and Enhanced Security Restricted Area. All activities conducted within the Enhanced Security Restricted Area, including entering and exiting the Area and using lifts, must be in the company of an authorised Airport Permit holder. Only with the holder’s access card can any of the entry and exit gates or lifts be activated. When entering different operation zones, visitors must be under escort by the staff from the organisations responsible for the operation of the zones concerned. Hence, it is not quite possible for visitors to enter the Enhanced Security Restricted Area without permission and cause any security problem.

5.4 As regards Organisation X's visit, AA does regularly organise visits to the airport for different stakeholders (including think tanks) to facilitate exchanges. When Organisation X, a think tank, requested to visit the airport to learn about its operation, it is reasonable that AA followed its normal practice and accepted the application (**paragraph 4.1**). AA had also followed the established procedures to obtain the personal particulars of participants from Organisation X, and handed out the Special Visitor Passes to those participants only after verification of their identities on the day of the visit. Therefore, we consider that AA had sufficient justifications to entertain Organisation X's visit to the airport.

5.5 The main justification for issuing the Control Authority Permit to the Chief Delegate is that despite the failure to produce an Identity Card, there was an **urgent** need for the Chief Delegate to access the Restricted Area for **business reason**. We note that on the day of the visit by Organisation X, the Chief Delegate had to lead the delegation, give a speech and present souvenirs. The application by Organisation X had reached AA one month prior to the visit and after that AA had arranged the details of the visit, including the itinerary, officers to be responsible for the event and relevant facilities. In those circumstances, the Chief Delegate did have the need to access the Restricted Area so that the visit could proceed as scheduled. It is, of course, any citizen's responsibility to carry his/her Identity Card at all times. In the said incident, the Chief Delegate was not carrying one. However, AA was able to confirm the identity because the AA staff member who had business contacts with the Chief Delegate was present on that day. It is, therefore, not unreasonable that AA, having considered the circumstances, exercised its discretion and issued the Control Authority Permit to the Chief Delegate.

5.6 More importantly, Organisation X was under escort by AA staff throughout the visit, and the visitors had not entered the Aerodrome Control Tower. AA's handling of the incident, therefore, did not give rise to security loophole (**paragraph 1.2**).

5.7 **In this direct investigation, we have carefully examined AA's current mechanism for issuing Restricted Area permits and its operation. We accept AA's explanation of the incident regarding Organisation X's visit.**

ACKNOWLEDGEMENTS

5.8 The Ombudsman is grateful to AA for its full cooperation during the course of this investigation.

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