

# Transcript of remarks by SCMA at media session on LegCo election and RTHK programme

Following is the transcript of remarks made by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, at a media session today (April 4) after attending a radio programme:

Reporter: Secretary, if the epidemic continues till the summer, do you think there is room for the LegCo election to be moved back a little bit? Also, I want to ask about RTHK's interview with the WHO representative. We have referred to Taiwan as a "place" throughout the whole episode and also asked the representative whether they would reconsider Taiwan's membership. How does that violate the One-China Principle?

Secretary for Constitutional and Mainland Affairs: As regards your first question about the LegCo election, LegCo election is a very important activity. It's for the voters to cast their votes, to elect their representatives in the Legislative Council. The Electoral Affairs Commission and the Registration and Electoral Office are doing all the necessary preparation work for this, including, for example, voter registration, consultation on the guidelines (on election-related activities in respect of the Legislative Council Election). All this preparation work is ongoing, but of course we will closely monitor the situation, especially the effect of the epidemic on this, and will review the situation as appropriate.

As regards the interview with the WHO representative, I think it's very clear that the membership of the WHO is confined to sovereign states. Hong Kong's participation in the WHO is as a member of the Chinese delegation. So I think the issue on the membership of the WHO is clear enough.

As regards the handling of the interview by RTHK, I think we have looked at it from the angles of RTHK as a government department and also RTHK as a public broadcasting authority. We would look at the issue and review it in accordance with the One-China Principle and the Charter that governs the work of RTHK. These matters are being handled by the Commerce and Economic Development Bureau. Their position has already been articulated very clearly.

(Please also refer to the Chinese portion of the transcript.)

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## The Basic Law – Best Safeguard for the

# Prosperity and Stability of Hong Kong

Following is an op-ed by the Chief Executive, Mrs Carrie Lam, published today (April 4):

On April 4, 1990, the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law) was adopted by the Seventh National People's Congress (NPC) of the People's Republic of China (PRC). The Basic Law enshrines the basic policies of the PRC regarding the Hong Kong Special Administrative Region (HKSAR) and provides a solid constitutional basis for the implementation of "One Country, Two Systems". Looking back, we must not forget the purpose and mission of the Basic Law.

The Basic Law clearly states that Hong Kong has been part of the territory of China since ancient times and is an inalienable part of the PRC. It is a Special Administrative Region enjoying a high degree of autonomy under the Central People's Government. Upholding national unity and territorial integrity, maintaining the prosperity and stability of Hong Kong, and taking account of history and realities, the "One Country, Two Systems" principle was put forth by Mr Deng Xiao-ping as a way to preserve the characteristics and strengths of Hong Kong as much as possible and to enable Hong Kong citizens to maintain their way of life.

In the 22 years since her return to the motherland, Hong Kong has weathered different challenges and, on the whole, the implementation of "One Country, Two Systems" has been successful. Leveraging on our strengths in free market economy, rule of law, independent judiciary and the free flow of information and with our country's strong support, Hong Kong has developed into an international financial, trade and transportation centre and attracted more than 9,000 overseas and Mainland companies to establish offices here, with many of them making Hong Kong as their regional headquarters in Asia-Pacific.

## **International financial centre**

Article 109 of the Basic Law confirms Hong Kong's status as an international financial centre and stipulates that the Government of the HKSAR shall provide an appropriate economic and legal environment for the maintenance of such status. Specifically, under the Basic Law –

- The Hong Kong dollar is the legal tender of the HKSAR and the linked exchange rate system has been maintained. With the strong support of the Central Government, Hong Kong has been able to maintain financial stability even during turbulent times. Riding on our country's reform and opening up, Hong Kong has also developed into the world's largest offshore Renminbi centre.
- The free flow of capital is protected and has attracted a large number of foreign direct investment and companies using Hong Kong as an ideal platform for IPOs and fund raising. Over the past ten years, Hong Kong

has topped the annual global IPO rankings six times.

- Hong Kong maintains a simple and low tax system, which is key to Hong Kong's success as an international financial, trading and business centre. The HKSAR Government is free to implement tax measures according to policy needs under its independent tax system. Since I took office, I have put in place initiatives such as the two-tier profits tax system and tax deduction for research and development expenditure to enhance Hong Kong's competitiveness.

## **Rule of law and independent judiciary**

The Basic Law preserves and guarantees Hong Kong's long-established and trusted common law system and allows the HKSAR to enjoy independent judicial power, including that of final adjudication. The rule of law and an independent judiciary, which are held dearly by Hong Kong people, are constitutionally protected. The Basic Law stipulates that judges shall be appointed by the Chief Executive on the recommendation of an independent commission; for the appointment of judges of the Court of Final Appeal (CFA) and the Chief Judge of the High Court, the Chief Executive shall obtain the endorsement of the Legislative Council and report such appointment to the Standing Committee of the NPC for the record. Last month, I accepted the recommendation of the Judicial Officers Recommendation Commission to appoint the Honourable Mr Justice Andrew Cheung Kui-nung, Permanent Judge of the CFA to succeed The Honourable Chief Justice Geoffrey Ma who will retire next year.

The Basic Law also allows the CFA to draw on the experience of judges from other common law jurisdictions. Currently, 15 eminent judges from the United Kingdom, Australia and Canada are sitting on the CFA as non-permanent judges. Their participation shows that our rule of law and independent judiciary are well recognised.

## **Rights and freedoms of residents**

The fundamental rights and freedoms of Hong Kong residents are fully protected by the Basic Law. Under Chapter 3, Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; freedom of the person; freedom of communication; freedom of religious belief; freedom of choice of occupation; freedom to engage in academic research, literary and artistic creation, and other cultural activities; freedom of marriage, etc. However, as pointed out by our courts in their judgments, freedom is not absolute; one should respect the rights and freedoms of other people and be subject to law when exercising such freedoms.

## **Developing external affairs**

Hong Kong has always been a bridge between the East and the West. The Basic Law allows the HKSAR to maintain and develop relations with foreign states and regions and relevant international organisations in the appropriate fields, including economic, trade, financial and monetary, shipping, communications, tourism, cultural and sports fields on its own,

using the name "Hong Kong, China". The HKSAR has participated in the World Trade Organization, the World Meteorological Organization, the Asia-Pacific Economic Cooperation and many others in the name "Hong Kong, China" and has entered into hundreds of bilateral agreements with other countries, including Free Trade Agreements, Investment Promotion and Protection Agreements and Comprehensive Double Taxation Agreements. Hong Kong athletes can also represent Hong Kong in international competitions.

The implementation of "One Country, Two Systems" fully demonstrates that it is the best institutional arrangement to maintain Hong Kong's long term prosperity and stability. As a pioneering initiative, its application entails an evolving process and we have to effectively and fully apply this principle in order to maintain the prosperity and stability of Hong Kong, to meet the aspirations of our citizens and to meet the fundamental interests of our country. I encourage all Hong Kong citizens to learn more about the Basic Law, including the institutional safeguards, and the rights and duties of Hong Kong residents. In so doing, we should consider how best we can continue to leverage on Hong Kong's advantages, allowing Hong Kong to advance with the country and enabling every Hong Kong resident to realise their goal.

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## **Suspension of "A Symphony of Lights"**

Attention duty announcers, radio and TV stations,

Please broadcast the following as soon as possible and repeat it at suitable intervals:

The Tourism Commission announces that "A Symphony of Lights" will be suspended tonight (April 4) as a token of mourning for people who have died from the COVID-19 infection.

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## **Adjusting operating hours of passenger clearance services at Hong Kong-Zhuhai-Macao Bridge Hong Kong Port**

A Government spokesman said today (April 4) that the operating hours of passenger clearance services at the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port will be adjusted as follows with effect from April 5 until further notice:

- Operating hours of passengers clearance services at the Passenger Clearance Building (i.e. clearance for passengers crossing the boundary by cross-boundary coaches and shuttle buses) will be shortened to run from 10am to 8pm daily; and
- Operating hours of the clearance for private cars will be shortened to run from 6am to 10pm daily.

The operating hours for cargo clearance will not be affected and remain unchanged (i.e. 24 hours daily).

In response to the dire situation of the COVID-19 epidemic and to reduce cross-boundary people flow and better utilise the resources for epidemic prevention work at the control points, the Hong Kong Special Administrative Region (SAR) Government, the Macao SAR Government and the Zhuhai Municipal Government have, after deliberation, agreed to shorten the operating hours of passenger clearance services at the three ports of the Hong Kong-Zhuhai-Macao Bridge simultaneously. The operating hours for cargo clearance remain at 24-hour. The spokesman reminds passengers travelling between Zhuhai and Hong Kong or between Macao and Hong Kong to allow sufficient time to ensure that they can reach the Port they are entering within the operating hours for passenger clearance to complete the immigration procedures.

In view of the development of the epidemic situation, the Hong Kong SAR Government has since January 30 suspended passenger clearance services at 12 land-based and sea-based control points by phases. Currently, passenger clearance services are only available at two land-based control points, i.e. the Shenzhen Bay Port and the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port. Separately, since February 8, all persons entering Hong Kong from the Mainland or having stayed in the Mainland in the past 14 days before arrival in Hong Kong are subject to compulsory quarantine for 14 days. The 14-day compulsory quarantine arrangement has been extended to persons entering Hong Kong from Macao from March 25 onwards. Meanwhile, the operating hours of the passenger clearance services at the Shenzhen Bay Port was shortened to 10am to 8pm daily from April 3.

The above measures have been effective in reducing the cross-boundary people flow and the risk of the spread of the virus. As of April 2, the number of arrivals and departures via the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port was 146 (of which 94 per cent were Hong Kong residents), representing a 99 per cent decrease compared with the figure prior to the implementation of the above measures. The number of arrivals and departures via Shenzhen Bay Port was 1 165 (86 per cent of which were Hong Kong residents), representing a 97 per cent decrease compared with the figures prior to the implementation of the above measures.

All land-based cargo clearance services have been operating as usual. In March 2020, there were an average of 8 197 trips by goods vehicles entering Hong Kong daily (8 186 trips departing Hong Kong), representing a 20 per cent increase compared with an average of 6 838 trips daily (6 815 trips departing Hong Kong) in January 2020.

The spokesman appeals to members of the public to avoid all non-

essential travel to places outside Hong Kong. They are advised to stay home and avoid social activities such as meal gatherings or other gatherings, and keep an appropriate social distance from other people as far as possible. The Government will continue to closely monitor the development of the epidemic and introduce necessary measures in response to the situation.

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## Police open fire in Tai Po

Police are investigating a Police open fire case in Tai Po yesterday (April 3) afternoon.

At about 3.30pm, Police received a report from a 47-year-old male private car driver that he had carried four male passengers from Tai Wai to Lau Fau Shan in the afternoon. When arriving near Ha Pak Nai, Nim Wan Road in Tin Shui Wai, a passenger pointed a knife at him, robbed his private car together with some \$1000 cash, and fled away.

At around 4pm, a male officer located the private car at Fanling Highway near Hong Lok Yuen and signaled it to stop. However, the private car reversed and knocked down his police motorcycle. The officer sustained minor injury and was sent to Alice Ho Miu Ling Nethersole Hospital in conscious state.

After that, the private car fled along Fanling Highway towards Tai Po (North) direction, during which it collided with two light goods vehicles. The private car then rushed forward and attempted to knock down another male officer nearby. The officer drew his pistol and gave verbal warnings but in vain, and subsequently fired one shot at the car.

Officers later intercepted the private car on Po Nga Road near Tai Wo Estate. Four men on the private car, aged between 16 and 27, were arrested for robbery and taking conveyance without authority. Among them, an 18-year-old man was also arrested for dangerous driving. Upon further investigation, he was arrested for driving without a licence and driving without third party insurance as well. All the arrestees are being detained for further enquiries.

Police seized a knife in the private car in suspected connection with the case. Investigation by the Regional Crime Unit of New Territories North is underway.

Anyone who witnessed the incident or has any information to offer is urged to contact the investigating officers on 3661 3356.