

## LCQ17: Cracking down on online defamation and cyber-bullying

Following is a question by Prof the Hon Chow Man-kong and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (February 19):

Question:

In September 2023, the Mainland issued the Guiding Opinions on Punishing Illegal and Criminal Acts of Cyberviolence in accordance with the Law (the Opinions), with a view to punishing illegal and criminal activities of cyberviolence in accordance with the law, effectively safeguarding citizens' rights and interests, and maintaining order in the cyberspace. There are views that the Government should draw on the experience and improve the legislation concerned. In this connection, will the Government inform this Council:

(1) of the respective numbers of persons who were prosecuted and convicted in each of the past three years for allegedly disseminating inappropriate information or making inappropriate speech on the Internet (including contravening data protection principles under the Personal Data (Privacy) Ordinance (Cap. 486), and committing offences such as criminal intimidation, blackmail or defamation, etc.), and set out the details of each case by the nature of crimes;

(2) given that it has been reported that the Government has completed a consultancy study on addressing the issue of false information, whether the authorities have examined if the existing legislation is adequate in combating false information, defamation and bullying behaviour in the cyberspace; if they have, of the details; and

(3) given that the Opinions stresses that "the focus must be on cracking down on malicious initiators, organizers, malicious promoters, and those who refuse to take corrective action after repeated education", and crimes committed under specific circumstances (such as cyberviolence committed against a minor or disabled person, and cyberviolence committed by organizing an "Internet water army" and "thugs") "carry a harsh penalty in accordance with the law", whether the authorities will make reference to the aforesaid principles in reviewing and updating the existing legislation, particularly focusing on Internet users who publicly or privately make speech not based on facts and intend to launch malicious attacks, and add a provision to enable victims to recover losses through legal channels from users or service providers who publish defamatory statements, so as to combat defamation and bullying behaviour online in a more targeted manner; if so, of the details; if not, the reasons for that?

Reply:

President,

The Internet is not an unreal world that is beyond the law. As far as the existing legislation in Hong Kong is concerned, most of the laws enacted to prevent crimes in the real world are in principle applicable to the online world, including social media and mobile communication softwares. Any illegal acts involving criminal offences would be regulated by the relevant legislation, regardless of whether such acts occur online.

After consulting the Home and Youth Affairs Bureau (HYAB), the Constitutional and Mainland Affairs Bureau and the Department of Justice (DoJ), consolidated reply in response to the Member's question is provided as follows:

(1) Disseminating inappropriate information or making inappropriate remarks on the Internet may constitute an offence under section 64 of the Personal Data (Privacy) Ordinance (Cap. 486) (PDPO), which provides for disclosure of personal data without consent, commonly known as the "doxxing" offence. Since the offence came into effect in October 2021, as at December 31, 2024, the Office of the Privacy Commissioner for Personal Data arrested a total of 63 persons, with 32 of them being convicted. Meanwhile, the Hong Kong Police Force (HKPF) conducted investigations targeting the offence of doxxing causing specified harm to the data subject or any family member of the data subject under section 64(3C) of the PDPO. As at the third quarter of 2024, 34 persons were arrested, with 18 of them being convicted.

According to the records of the DoJ, no prosecution for "publishing libel known to be false" provided under section 5 of the Defamation Ordinance (Cap. 21) was initiated in the past three years. As of the third quarter of 2024, a total of 1 006 persons have been prosecuted for offences such as criminal intimidation under section 24 of the Crimes Ordinance (Cap. 200) or blackmail under section 23 of the Theft Ordinance (Cap. 210), of which 450 have been convicted.

The above figures include cases committed on the Internet. The Government does not maintain breakdown of online and offline figures.

(2) HYAB has earlier hired consultant to study the experiences and measures of other countries and regions in dealing with false information. According to information provided by HYAB, the Government has completed a consultancy study on how to deal with false information, and will continue to closely monitor the issue of false information. Generally speaking, the dissemination of information by the media in Hong Kong has improved compared to the past, but this does not mean that we do not need to be wary of false information and other online defamation and bullying.

(3) As mentioned in the first part of the reply, the existing laws in Hong Kong for preventing crimes are, in principle, applicable to the online world and the above-mentioned relevant offences are applicable to online conduct.

Making inappropriate comments online may also constitute other offences, such as contravention of the data protection principles as set out in Schedule 1 of the PDPO.

As regards online remarks or information which are not based on facts, there are mechanisms under the existing legal framework demanding the removal of inappropriate messages to combat online defamation and cyber-bullying. For instance, under section 159AAL of the Crimes Ordinance, in cases where intimate images (including falsified ones that have been altered) are published without consent, the court, having regard to the circumstances, may order the defendant or any other persons to remove, delete or destroy the intimate images concerned. Section 66M of the PDPO also empowers the Privacy Commissioner for Personal Data to demand actions to cease disclosure of "doxxing" contents. Upon noticing the circulation of inappropriate messages on the Internet, the HKPF will actively investigate and take enforcement action in a timely manner. They will also require service providers to remove the messages as appropriate. The parties concerned may also apply to the High Court for an injunction as and where necessary.

The Government reinstates that members of the public have to act legally and responsibly when using the Internet, and should not commit any criminal offence. We will devote full efforts to crack down unlawful acts on the Internet, and take enforcement actions in accordance with the existing legislation, as well as to review the applicability and effectiveness of the laws from time to time.

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## [Speech by FS at Consensus Hong Kong 2025 \(English only\)](#)

Following is the speech by the Financial Secretary, Mr Paul Chan, at Consensus Hong Kong 2025 today (February 19):

Michael (Chairman of Consensus Hong Kong, Mr Michael Lau), Sara (Chief Executive Officer of CoinDesk, Ms Sara Stratoberdha), distinguished guests, industry leaders and innovators, friends from around the world,

It is my pleasure to be here at Consensus Hong Kong 2025. Let me begin by expressing my heartfelt gratitude to CoinDesk for choosing Hong Kong as the first Asian city for hosting this iconic conference. Your decision underscores Hong Kong's growing prominence as a global hub for Web3 and crypto innovation. This event also reflects our commitment to building a thriving digital asset ecosystem.

Vast potential of Web3 and AI

Consensus 2025 is a congregation of Web3 talent from around the world, and its agenda reflects the most pressing topics and trends in the Web3 space today. From the convergence of AI and blockchain to the tokenisation of real-world assets (RWA), crypto and consumers, and DeFi 2.0 (decentralised finance), the discussions here are set to shape the future landscape of digital finance and the digital economy.

One of the most exciting developments is, of course, the intersection of AI and blockchain, where "decentralised AI" can unlock many new applications and opportunities. For example, AI can assist blockchain platforms in performing more accurate credit assessments, improving smart contract audits, providing tailored investment advice, and more.

Globally, the application of Web3 in finance is gaining traction. Blockchain innovations not just reduce transaction costs but also enhance market transparency, and the efficiency and accessibility of financial services. Indeed, we are seeing more institutional adoption where traditional banks, asset managers and brokers increasingly integrate digital assets into their offerings. The benefits are clear. The World Economic Forum, for example, estimates that financial institutions could free up some US\$100 billion per year by leveraging distributed ledger technology for collateral management.

Hong Kong, with its advanced financial infrastructure and robust regulatory environment, is at the forefront of this transformation. Hong Kong has already made history by issuing the world's first tokenised government green bonds in 2023, followed by a groundbreaking multi-currency issuance in 2024.

Beyond finance, Web3 plus AI innovations are inspiring a host of applications in the real economy. From streamlining supply chain management to enhancing game players' experience; and from improving healthcare management to making agricultural and industrial production more intelligent, they are empowering and transforming business operations and public services.

Rapid tech innovation does not come without challenges. Often, the progress of innovation outpaces regulatory response, creating gaps that can lead to substantial risks. The fallout from several crypto exchanges' failures in recent years serves as vivid reminders that we must pay attention to market integrity, investor protection, money laundering and cybersecurity risks, as financial products and services continue to innovate and digitalise.

On a positive note, the history of financial innovations shows that we learnt and adapted fast, and put in better guardrails and became more resilient. The key to success lies in maintaining an open, fair, balanced and forward-looking regulatory approach that is conducive to the sustainable and responsible development of financial innovation, including Web3.

Hong Kong's unparalleled advantages

This is the path taken by Hong Kong. While some major jurisdictions have recently begun to embrace cryptocurrencies, which has undoubtedly fuelled a boom of the crypto market, Hong Kong stands out as a market with consistent, predictable, forward-looking policies, and a balanced regulatory framework. For innovators and companies committed to building the future of Web3, or financial institutions looking to bridge traditional and digital finance, Hong Kong is where you want to be.

Our regime is premised on the "same activity, same risk, same regulation" principle, which ensures a level playing field for all market participants. In this regard, Hong Kong has already put in place a licensing regime for digital asset trading platforms. Our Securities and Futures Commission has already issued nine such licences, with more in the pipeline. We are also advancing on the regulation of stable coins, and have introduced the relevant piece of legislation.

To facilitate further innovation, regulatory sandboxes have been set up by our regulators to allow innovators to test and refine their ideas, and to get early regulatory feedback. Besides, initiatives like the Hong Kong Monetary Authority's Project Ensemble are accelerating the development of tokenisation ecosystems, covering RWAs like fixed income, investment funds, green finance and trade finance.

Indeed, this pro-innovation and collaborative regulatory approach is a unique value proposition of Hong Kong to Web3 innovators and participants.

AI is constantly evolving and increasingly applied to finance. Its convergence with blockchain will create more use cases, with both new opportunities to be captured, and challenges to be addressed. Hong Kong has set out a clear policy stance on the use of AI in financial services. The Government and financial regulators are working closely with the industry to monitor technology and market development and establish a transparent supervisory framework.

Hong Kong's commitment to Web3 extends beyond regulation. We are investing heavily in the related infrastructure and talent development. Our Cyberport and Science Park have become vibrant hubs for Web3 innovation and fintech, while our universities and partnerships with the industry are nurturing generations of blockchain experts. Through talent admission schemes, we are also attracting top-notch professionals from around the world, ensuring that Hong Kong remains at the cutting edge of technological advancement.

Concluding remarks

Ladies and gentlemen, while the tides of change may ebb and flow, the quest for innovation has never stopped. The digital asset market today may somewhat resemble the early days of all great transformative paradigms: as new frontiers emerge, there will always be champions of progress and cautious observers. What remains true is that the market ultimately rewards those who

dare to innovate, and adapt and persevere.

The tides of change are upon us, and Hong Kong is ready to ride the wave. As the Web3 ecosystem continues to evolve, Hong Kong will remain a stable, open and vibrant market for digital assets. I am confident that global companies and institutions will join force with us to lead its development.

Once again, my heartfelt thanks to CoinDesk for hosting this event in Hong Kong. I wish you all a productive and inspiring event over the next two days. And do remember to take some time to enjoy Hong Kong, Asia's world city. Thank you.

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## LCQ14: Making good use of spaces released from toll collection facilities of road harbour crossings

Following is a question by the Hon Chan Chun-ying and a written reply by the Secretary for Transport and Logistics, Ms Mable Chan, in the Legislative Council today (February 19):

Question:

In order to implement the HKeToll free-flow tolling service, the Highways Department is demolishing the toll booths, toll islands and toll plaza shelters of the three road harbour crossings (RHCs) and adjusting the traffic lane arrangements. On making good use of the spaces released from the toll collection facilities of RHCs, will the Government inform this Council:

(1) as it is learnt that the demolition works of the toll booths, toll islands and toll plaza shelters of the three RHCs have basically been completed, but many water-filled barriers and traffic cones used for the purposes of road works have not yet been removed from the road surfaces in the vicinity of the three RHCs, causing vehicles entering and exiting RHCs to reduce their speed, thus affecting the smooth flow of traffic, and that the Government indicated in its reply to a question from a Member of this Council on November 13 last year that the demolition works involving the three RHCs were not expected to be completed until the second quarter of this year, of the complexities of the remaining works and whether the Government has explored early completion of such works; if so, of the details; if not, the reasons for that;

(2) given that in its reply to a question from a Member of this Council on October 18, 2023, the Government indicated that the demolition of all the manual toll booths could release land with an estimated total area of about 23 000 square metres at the three RHCs, whether, apart from using the land to provide more bus stops or improve the existing ones and increase the number of buffer zones, the Government has considered landscaping the RHC entrances to create three scenic cityscapes; if so, of the details; if not, the reasons for that; and

(3) as it is learnt that there are many advertising spaces at the three RHCs, whether the Government has studied taking this opportunity to revamp these advertising spaces to provide digital advertising screens, three-dimensional advertising screens and projection advertising screens, etc, thereby attracting more advertisers and increasing government revenue; if so, of the details; if not, the reasons for that?

Reply:

President,

The HKeToll, a free-flow tolling service, has been implemented in all government-tolled tunnel since end-2023 and will be implemented at the Tai Lam Tunnel after the Government takes over it in May this year. The HKeToll enables vehicles to pay tolls remotely without having to stop at the toll booths, thereby enhancing the efficiency of toll collection, and providing more effective traffic management as well as safer and smoother commuting for motorists; and the freed-up areas following the removal of manual toll booths will be utilised to improve the traffic at the tunnel entrances and exits.

Having consulted the Development Bureau and the Transport Department (TD), my reply to the various parts of the question raised by the Hon Chan Chun-ying is as follows:

(1) All HKeToll related works at the Cross-Harbour Tunnel (CHT) and Eastern Harbour Crossing (EHC) have been completed, including the removal of toll islands and toll plaza canopies, and adjustment of lane arrangements. The traffic cones currently placed on site mainly aim at guiding vehicles along the lanes and preventing them from entering the shadow area of the central dividers, so as to rationalise the traffic near the tunnel entrances and exits and maintain road safety.

As for the Western Harbour Crossing (WHC), we are currently carrying out road resurfacing and related works in the vicinity of the former toll plaza, which requires removal of the existing concrete pavement of the main traffic lanes at the former toll plaza for repaving the road base as well as the bituminous pavement. As the works are close to existing traffic lanes, bus stops, branch road entrances and exits, etc, they need to be carried out in phases to ensure that the project will not cause significant impact on tunnel operations, traffic conditions and road safety. Upon the completion of the works at the main traffic lane, we will continue the remaining works at the freed-up areas and remove temporary traffic management measures such as water barriers after completion. The relevant departments will complete the works as soon as possible, and it is expected the works at WHC will be completed in the second quarter of this year.

(2) The freed-up areas following the removal of toll booths will be used for improving the traffic at the tunnel entrances and exits, including widening the existing space for loading/unloading of buses and access to bus stops, increasing the number of lane-side buffer zones to ensure the safe operation of the tunnels, as well as rationalising traffic lane arrangements, with consideration given to road safety and landscaping. In the long run, the TD will continue to review the future traffic condition of the road section and the spaces available, and proactively consider how to complement the development of the neighbouring areas and improve the traffic and cross-harbour bus service. Besides, taking the CHT as an example, at the Government's invitation, the MTR Corporation Limited (MTRCL) has conducted a study to re-plan the sites in the vicinity of the Hung Hom Station and the waterfront, including exploring ways to enhance the pedestrian connectivity between Hung Hom and Tsim Sha Tsui East, and improve the passenger bus waiting environment at the CHT. The Government is currently considering

MTRCL's report, and expects stakeholder consultation on the land use proposals will take place by mid-2025.

(3) At present, there are a total of 95 advertising panels located at the tunnel entrances and exits, tunnel buildings (such as administration buildings and ventilation buildings) and bus stops of the three road harbour crossings. The tunnel operators under the TD appoint advertising agents through open tender to sell advertising spaces, and the relevant advertising revenue goes to the Government.

The TD has been closely monitoring the market demand for advertising display within the tunnel areas with a view to optimising the use of advertising spaces. The TD also reviews the number and types of advertising panels from time to time, taking into account factors such as cost-effectiveness, avoiding distraction to motorists, road safety and visual impact to nearby residents. To tie in with the market demand and changes to the toll plaza, the TD has commissioned a total of four new advertising panels from November 2024 to January 2025 at the EHC to increase advertising revenue.

The TD will continue to maintain close liaison with tunnel operators and advertising agents to keep in view the market demand for displaying advertisements within the tunnel area, and consider the feasibility of different options, including the proposal in the question, with a view to increasing advertising revenue.

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## **LCQ14: Making good use of spaces released from toll collection facilities of road harbour crossings**

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