

HKSAR Government strongly objects to Hong Kong Policy Act Report released by US State Department

The Hong Kong Special Administrative Region (HKSAR) Government today (April 1) expressed strong opposition to the remarks contained in the so-called Hong Kong Policy Act Report issued by the United States (US) Department of State.

The HKSAR is an inalienable part of the People's Republic of China (PRC), is a local administrative region that enjoys a high degree of autonomy under "one country, two systems" and comes directly under the Central People's Government (CPG). To uphold and implement the principle of "one country, two systems" meets the interests of the Hong Kong people, responds to the needs of maintaining Hong Kong's prosperity and stability and serves the fundamental interests of the nation. The CPG has time and again made it clear that it will unswervingly implement the policy of "one country, two systems." The so-called Hong Kong Policy Act and sanctions imposed by the US Government are clearly an interference in the internal affairs of the PRC, in the pretext of human rights, democracy and autonomy.

Hong Kong National Security Law

"We strongly object to the comments in the Report smearing the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (National Security Law). National security is a matter within the purview of the Central Authorities. It is the legitimate right and duty of every country to safeguard its national security. Whether it is in a unitary or federal system, legislation on national security is invariably carried out by the central authorities rather than a local government. Enacting laws on national security with extraterritorial effect is also squarely in line with international practice. Smearing the National Security Law out of political motivation is clear hypocrisy in adopting double standards," the spokesman said.

The National Security Law upholds the rights and freedoms of Hong Kong people as well as the high degree of autonomy of the HKSAR. The National Security Law clearly stipulates that the HKSAR shall protect the rights and freedoms enjoyed by residents under the Basic Law and the provisions of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong in accordance with the law. However, certain rights and freedoms recognised in the ICCPR are not absolute: the ICCPR stipulates that certain rights and freedoms may be subject to restrictions as prescribed by law if it is necessary in the interests of national security, public safety, public order or the rights and freedoms of others, etc.

"The National Security Law has clearly stipulated four categories of offences that endanger national security. It clearly sets out the elements of the offences, penalties, mitigation factors and other consequences. There is no question of law-abiding persons inadvertently violating the law. The arrests made by the Police are based on evidence and strictly according to the laws in force.

"The National Security Law, like any law in the HKSAR, applies equally to every person in Hong Kong; no one is above the law. We are appalled by remarks in the Report that seemed to suggest that people with certain political background should be immune to legal sanctions. We must emphasise that no one has any privilege to break the law without facing legal consequences.

"The right of peaceful assembly is fully protected under the Basic Law. However, such freedoms are not absolute. As the Chief Justice of the Court of Final Appeal at the Ceremonial Opening of the Legal Year 2020 stated that, "we see clear limits in the law to the exercise of rights. The enjoyment or insistence on one's rights does not, for example, provide any excuse to harm other people or their property, or to display acts of violence."

"Since the implementation of the National Security Law, stability has been restored to society and national security has been safeguarded in the HKSAR. Our people can continue to enjoy their basic rights and freedoms in accordance with the law. A stable environment is vitally important to the business activities of both local and overseas enterprises in Hong Kong."

General Election of the Legislative Council

On the postponement of the General Election of the Legislative Council (LegCo), the health and the well-being of the people are the overriding concerns of any responsible government. The HKSAR Government has repeatedly stressed that the postponement of the 2020 LegCo General Election is entirely based on public health grounds. According to the Decision made by the Standing Committee of the National People's Congress (NPCSC) on August 11, 2020, the sixth-term LegCo of the HKSAR will continue to discharge its duties for no less than one year until the commencement of the seventh-term LegCo. The decision also states clearly that the seventh-term LegCo of the HKSAR will have a term of four years after it has been formed in accordance with the law.

The NPCSC's Decision on the qualification of LegCo members of the HKSAR on November 11, 2020, clearly establishes that a member of the LegCo of the HKSAR does not fulfil the legal requirements and conditions on upholding the Basic Law and pledging allegiance to the HKSAR of the PRC if the member advocates or supports "Hong Kong independence", refuses to recognise the PRC's sovereignty over Hong Kong and the exercise of the sovereignty, solicits intervention by foreign or external forces in the HKSAR's affairs, or carries out other activities endangering national security. When the member is so decided in accordance with law, he or she is immediately disqualified from being a LegCo member. The Decision is applicable to the

members of the sixth-term LegCo whose nominations were decided to be invalid in accordance with law by the HKSAR during the nomination period of the election for the seventh-term LegCo of the HKSAR originally scheduled for September 6, 2020. Four members of the sixth-term LegCo have submitted nomination to run for the seventh-term LegCo General Election that was originally scheduled for September 6, 2020. Their nominations were invalidated by Returning Officers before the end of the nomination period, and they hence lost the qualification for running for the election and were immediately disqualified from being LegCo members. The NPCSC's Decision is a constitutional, lawful and reasonable arrangement. It is necessary and complies with the relevant stipulations of the Basic Law.

Judicial Independence

The Report also expressed concerns on judicial independence in the HKSAR. That the courts of the HKSAR can exercise independent judicial power, including that of final adjudication free from any interference, has been enshrined under the Basic Law as set out in Articles 2, 19 and 85. Article 92 of the Basic Law also clearly stipulates that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities. The constitutional duty of judges, in the exercise of their judicial power, is to apply the law and nothing else. Such duty does not change when judges decide cases arising from or involving political controversies.

Discrepancy in laboratory result date in COVID-19 test result SMS message

The Public Health Laboratory Services Branch under the Centre for Health Protection (CHP) of the Department of Health today (April 1) found that the laboratory of the Chinese University of Hong Kong (CUHK), which was providing testing services on COVID-19 for the CHP, had sent SMS message of negative test result to members of the public and their doctors with incorrect laboratory result date after completing COVID-19 test of 88 samples. No personal data nor privacy was involved in the incident, amid no test result was affected.

The CHP has followed up on the incident immediately. SMS message will be sent to the affected persons and their doctors notifying them the discrepancy in laboratory result date. SMS message with correct laboratory result date will also be resent.

The CHP is highly concerned about the incident and will review the workflow with the CUHK to prevent a reoccurrence of similar incidents in future.

Disciplinary forces training schools open for public on National Security Education Day

In support of the National Security Education Day on April 15 organised by the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region (HKSAR), the five training schools of the HKSAR Government disciplinary forces will be open for public on that day. The activity aims to enhance members of the public's understanding of the disciplinary forces' facilities and training as well as their work in safeguarding national security. Members of the public can register online for the free admission tickets starting today (April 1).

The open day event will be held at the Correctional Services Department Staff Training Institute, the Hong Kong Customs College, the Fire and Ambulance Services Academy, the Hong Kong Police College and the Immigration Service Institute of Training and Development. Event details are as follows:

The Correctional Services Department Staff Training Institute

The Institute will showcase the staff's professional work and its "smart training" model. Programmes will include performances by the Regional Response Team, foot drill demonstrations by the Guard of Honour, performances by the Dog Unit, experience of "e-theater" and game booths. An exhibition on national security education and a photo corner will also be set up.

The Hong Kong Customs College

Exhibition panels showcasing the Customs and Excise Department's work and effectiveness in safeguarding national security will be displayed. Other programmes include professional foot drill performances, guided tours of the College, demonstrations by the Customs detector dogs, display of professional equipment, visits to the Professional Development Training Block and outdoor firing range, as well as virtual reality experience.

The Fire and Ambulance Services Academy

The Academy's training facilities and the Fire and Ambulance Services Education Centre cum Museum will be open for public visit. The Academy will also arrange demonstrations of the "three basic skills on emergency preparedness", which include ways to use fire extinguisher, demonstration of cardiopulmonary resuscitation (CPR) and emergency evacuation experience.

The Government Flying Service will display its latest multi-purpose H175 helicopter, rescue equipment and underslung fire buckets used for distinguishing hill fires at the venue. Introductions of the emergency support services and related equipment will also be arranged.

The Hong Kong Police College

Apart from professional foot drill performances, the Police Band performances and anti-terrorism exercises, there will also be exhibitions on national security education and cyber security, display of specialised vehicle and armored vehicle, equipment display and sharing by frontline personnel of the Explosive Ordnance Disposal Bureau, the Railway Response Team and Marine Region, roadblock and equipment display by the Emergency Unit, virtual reality experience and interactions with Police dog, etc.

The Immigration Service Institute of Training and Development (ISITD)

The ISITD Training Gallery and various training facilities will be open for public visit. Various game booths will be set up. In addition, there will be professional foot drill demonstrations by the Immigration Department's Departmental Contingent and performances by the Immigration Band.

The open day will have morning and afternoon sessions. Members of the public can view the activity details of each training school and register for admission tickets online on the National Security Education Day's dedicated website (www.nsed.gov.hk/) (available in Chinese only). The online registration period started from today until April 3, to be followed by a computer ballot at noon on April 4. Successful applicants will receive an SMS notification from the organiser.

This event is free of charge. Members of the public are encouraged to seize the opportunity to learn more about the Government disciplinary forces and experience the forces' capabilities of preventing and withstanding security risks, so as to understand their work in safeguarding national security from various aspects.

Murder, suicide and wounding in Hung Hom

Police are investigating a murder, suicide and wounding case in Hung Hom today (April 1) in which a 49-year-old man and his 48-year-old wife died.

At 8.39am, Police received a report from a boy that his father had used a knife to attack his mother and his elder brother inside a unit on Tak Fung Street.

Police officers sped to the scene. A 48-year-old woman and a 49-year-old man were respectively found lying in the bedroom and in the kitchen. The duo were rushed to Queen Elizabeth Hospital in unconscious state for medical treatment and were later certified dead at 9.11am and 9.16am respectively. A 14-year-old boy and an 18-year-old man were located inside the unit. They were injured and sent to Queen Elizabeth Hospital in conscious state. Police

officers also found a dog carcass in the living room, which was handled by relevant department.

Initial investigation revealed that the 49-year-old man had used a knife to attack his wife, the two sons and the dog before committing suicide in the kitchen with a knife.

Three knives in suspected connection with the case were seized inside the unit.

Post-mortem examinations will be conducted later to ascertain the causes of their deaths.

Active investigation by the District Crime Squad of Kowloon City District is underway.

Government announces investigation results regarding packaging defects of BioNTech vaccine and arrangements for resumption of vaccination service

The Government today (April 1) received from German drug manufacturer BioNTech the investigation results regarding packaging defects of the vial caps of the BioNTech vaccine (batch 210102) and the follow-up proposal. The Government took note of the investigation results and announced the arrangements for resumption of vaccination service of the BioNTech vaccine starting from April 5 under the Government vaccination programme.

According to the information provided by Fosun Industrial Co., Limited (Fosun) and German drug manufacturer BioNTech, BioNTech has completed the relevant investigation and analysis regarding defects found in a small number of vial caps in a batch of vaccines supplied to the Hong Kong and Macao regions. It is confirmed that the occurrence of the said problem is only associated with vaccine packaging under transport conditions. The production process and quality of the vaccine are found to be intact.

Results of further investigation including repeated tests and comparisons revealed that the occurrence of defects in the vial caps of the BioNTech vaccine was resulted from the crimping process during fill and finish in which the container integrity could not be effectively ensured for the said batch of vaccines (batch 210102). If the metal cap of the said batch of vials was not optimally crimped, there might be ingress of ambient

gas into the vials under the ultra-cold storage and transport environment (i.e. -70 degrees Celsius). The subsequent thawing procedures conducted might lead to increased air pressure in the vials and thus over-pressure in some vials and leakages from the vials, etc. Having conducted further tests, the relevant problem was also observed in other batches (including batch 210104) which were filled and finished at the same plant (including the crimping process). In contrast, for batches not filled and finished at the same plant (including the crimping process), the problem was not observed after conducting the same tests repeatedly.

After conducting detailed analysis of the testing statistics and results of random sampling, the German drug manufacturer BioNTech considered that there was no evidence that pointed to any safety risks for batches 210102 and 210104 of the BioNTech vaccine. The drug manufacturer indicated that in view the vaccine was stored under ultra-cold conditions, the risk of microbial contamination was very low. Also, as of now, no relevant adverse event had been discovered under the continuous monitoring mechanism. The German drug manufacturer BioNTech also indicated that, even if the vials had the above problems, the integrity of the messenger RNA and lipid nanoparticles was not affected. Having regard to the above results, the drug manufacturer confirmed that the safety and efficacy of the vaccine were not affected by the aforesaid issue, hence members of the public who had received the BioNTech vaccine did not need to worry. That said, for the sake of prudence, batches 210102 and 210104 will continue to be put on hold at the request of the drug manufacturer until completion of the final investigation report. The Government is also prepared to follow the recommendation of the drug manufacturer to suitably handle the relevant batches at a later time, including no longer administering the relevant batches of the BioNTech vaccine.

On the other hand, according to information provided by Fosun, a batch of around 300 000 doses of the BioNTech vaccine which were produced in Germany and filled and finished at another plant in Germany was expected to arrive Hong Kong from Germany on April 2. To ensure that problems similar to those mentioned above which might have led to packaging defects will not happen to the relevant batch of vials, German drug manufacturer BioNTech has conducted a series of stringent tests and assessment, including pressure tests conducted on more than 15 000 vials which had been stored in ultra-cold conditions. It was confirmed that the aforesaid problems were not found. German drug manufacturer BioNTech and Fosun will also enhance sampling and monitoring to ensure the integrity of the vials. The Government will also continue to provide relevant information to all healthcare professionals responsible for handling vaccines at Community Vaccination Centres (CVCs), with a view to effectively detecting the occurrence of similar problems. A Government spokesman pointed out that the relevant problem was discovered under the stringent checking procedures at the Government's CVCs. This demonstrates that the relevant procedures are working well and can effectively prevent similar problems from occurring to the vaccines.

Fosun and German drug manufacturer BioNTech have indicated to the Government that they will support the Government vaccination programme and

provide a stable supply of vaccines for Hong Kong, with a view to ensuring that the vaccination programme can continue to be implemented at full speed.

The Government will resume BioNTech vaccination for the public on April 5. Persons who have bookings to receive the vaccine on or after April 5 can go to the CVC they selected at the originally booked time slot, and need not make another appointment afresh.

For persons who have made an appointment for taking the second dose BioNTech vaccination on or before April 4, the Government will reserve a vaccination slot for them on a day between April 5 and 10, so that they can get the second dose vaccination as early as possible. For those who have made an appointment for taking the first dose BioNTech vaccination between March 24 and April 4, a new vaccination slot will also be reserved for them before the reopening of online booking for BioNTech vaccine. The above two categories of persons will be notified of the appointment details via SMS messages starting from April 2.

"If the persons concerned do not want to take the vaccination slot reserved, they can change the time slot via the online booking system on the designated website for the COVID-19 Vaccination Programme starting from 9am on April 3, after first cancelling the time slot assigned. As registration for BioNTech vaccination in the early phase of service resumption is expected to be keen, persons wishing to change the reservation may end up getting a rather late time slot due to insufficient supply of vaccination places. As such, we appeal to these people, especially those who need to take the second dose vaccination early, to accept as far as possible the vaccination slot reserved for them, to ensure that they can get the due protection offered by the vaccine," said the spokesman.

The categories of priority groups under the vaccination programme have been increased to 14, covering persons aged 30 or above, students aged 16 or above studying outside Hong Kong and domestic helpers. A new CVC at the Ho Man Tin Sports Centre will commence operation on April 5, bringing the number of CVCs administering BioNTech vaccine to 21. Persons belonging to the priority groups can make BioNTech vaccination bookings through the online booking system starting from 9am on April 3.

As regards Sinovac vaccine, the public can make reservations for receiving the vaccination at eight CVCs and the 18 general out-patient clinics of the Hospital Authority. They can also make appointments for vaccination with private doctors or clinics participating in the programme.

Members of the public can visit the designated website, www.covidvaccine.gov.hk, to make reservations for vaccination and to learn more about COVID-19 vaccines.