

LC: Opening remarks by CS for proposed resolution on appointment of the Chief Justice of the Court of Final Appeal

Following is the opening remarks (translated from Chinese) made by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, in moving the proposed resolution under Article 73(7) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) on appointment of the Chief Justice of the Court of Final Appeal in the Legislative Council meeting today (June 18):

Mr President,

I move that the motion under my name, as printed in the Agenda, be passed, that is, this Council endorses the appointment of the Honourable Mr Justice Andrew Cheung Kui-nung as the Chief Justice of the Court of Final Appeal (CFA).

Constitutional and statutory framework

The CFA is the final appellate court in Hong Kong, hearing both civil and criminal appeals. The Chief Justice is the President of the CFA and the head of the Judiciary. He is charged with the administration of the Judiciary and the execution of various statutory powers and functions vested in him.

Article 88 of the Basic Law provides that judges of the courts of the Hong Kong Special Administrative Region (HKSAR) shall be appointed by the Chief Executive on the recommendation of an independent commission composed of local judges, persons from the legal profession and eminent persons from other sectors. The Judicial Officers Recommendation Commission (JORC) is the statutory body constituted by the Judicial Officers Recommendation Commission Ordinance (Cap. 92) to perform the functions of the independent commission referred to in Article 88 of the Basic Law.

In the case of the appointment of the Chief Justice, Article 90 of the Basic Law provides that the Chief Executive shall, in addition to following the procedures prescribed in Article 88 of the Basic Law, obtain the endorsement of the Legislative Council (LegCo) and report such appointment to the Standing Committee of the National People's Congress for the record.

Pursuant to Article 92 of the Basic Law, judges of the HKSAR shall be chosen on the basis of their judicial and professional qualities. Further, Article 90 of the Basic Law stipulates that the Chief Justice of the CFA of the HKSAR shall be a Chinese citizen who is a permanent resident of the HKSAR with no right of abode in any foreign country.

The Judicial Officers Recommendation Commission Ordinance stipulates that the JORC should consist of the Chief Justice as the Chairman, the Secretary for Justice (SJ) and seven other members appointed by the Chief Executive. They include two judges, one barrister appointed after consultation with the Bar Council of the Hong Kong Bar Association, one solicitor appointed after consultation with the Council of the Law Society of Hong Kong, and three persons not connected in any way with the practice of law.

The current appointment

The incumbent Chief Justice, Mr Geoffrey Ma, will retire on January 11, 2021. The JORC held three meetings during the period from November 2019 to January 2020 to decide on the selection procedures and the appointment criteria for shortlisting candidates suitable for appointment as the next Chief Justice, and to consider the recommendation of a suitable candidate for such appointment. Having completed the selection process in accordance with the agreed procedures, the JORC has recommended to the Chief Executive the appointment of Mr Justice Cheung, Permanent Judge of the CFA, as the Chief Justice of the CFA with effect from January 11, 2021.

Mr Justice Cheung was a pre-eminent barrister when he joined the Judiciary in 2001. He was appointed the Chief Judge of the High Court in 2011, leading the High Court both judicially and administratively. He was later appointed as a Permanent Judge of the CFA in October 2018.

Mr Justice Cheung is a judge of high integrity and is widely respected both within the Judiciary and the legal profession. Mr Justice Cheung is a highly competent judge. He has written many important and landmark judgments on major and complicated cases, including constitutional and public law cases. As the Chief Judge of the High Court from 2011 to 2018, Mr Justice Cheung had to discharge very onerous administrative duties. He is also the key advisor to the Chief Justice on strategic matters and court operation issues. It is evident that Mr Justice Cheung possesses rich administrative experience and exemplary leadership qualities to discharge the responsibilities as the head of the Judiciary.

The Chief Executive has accepted the recommendation of the JORC on the appointment of Mr Justice Cheung as the Chief Justice of the CFA. Subject to the endorsement of this Council, the appointment shall take effect on January 11, 2021.

In accordance with the procedures previously endorsed by the the House Committee of LegCo, the Government informed the House Committee on March 24, 2020 that the Chief Executive had accepted the recommendation of the JORC on this appointment. Representatives from the Government and the Secretary to the JORC attended the meeting of the Subcommittee on Proposed Senior Judicial Appointment on May 26, 2020 and answered Members' questions. I would like to thank Dr Honourable Priscilla Leung Mei-fun, Chairman of the Subcommittee, and other Members of the Subcommittee for their support of the proposed appointment.

With these remarks, I invite Members to endorse the appointment. Thank you.

[Hospital Authority announces senior appointments \(with photos\)](#)

The following is issued on behalf of the Hospital Authority:

The Hospital Authority (HA) spokesperson announced the following senior appointments today (June 18).

Dr Cheung Ngai-tseung will be appointed as Head of Information Technology and Health Informatics with effect from July 2, 2020.

Dr Cheung joined the Information Technology Division of the Hospital Authority Head Office as manager in 1993 and became Chief Medical Informatics Officer (CMIO) in 2007. Since 2014, he has served as the administrative head of Information Technology and Health Informatics Division in addition to his role as CMIO.

Dr Cheung is a very seasoned senior executive specialised in health informatics. He has extensive experience in formulating healthcare information architecture and implementing various pilot projects to improve the efficiency and quality of medical care. He has led the development and implementation of a comprehensive electronic medical record system, the Clinical Management System, for sharing of patients' electronic health records in public hospitals and clinics. Being the consultant for eHealth for the Government, Dr Cheung also worked with the Government and other healthcare stakeholders to create a territory-wide Electronic Health Record Sharing System which was successfully launched in March 2016.

In addition, the HA announced the appointment of Dr Kenny Yuen as the Hospital Chief Executive of Tseung Kwan O Hospital and Haven of Hope Hospital, succeeding Dr Lau Ip-tim upon his retirement, with effect from August 7, 2020.

Dr Yuen is a specialist in general surgery. Since 2016, he has been the Chief of Service of the Surgery Department of Tseung Kwan O Hospital and is currently the Deputy Hospital Chief Executive of the hospital. He has provided leadership in various hospital improvement projects such as promoting an end-of-life care culture, setting up the Peri-operative Management Team and developing a new service model for enhancing the recovery after surgery. Dr Yuen is also the Deputy Chairman of the Coordinating Committee in Surgery of the HA and a member of the Cancer Coordinating Committee of the Food and Health Bureau.

The HA Chairman, Mr Henry Fan, and the HA Chief Executive, Dr Tony Ko, congratulated Dr Cheung and Dr Yuen on the new appointments and wished them every success in taking up the new posts. Mr Fan and Dr Ko also expressed deep appreciation to Dr Lau for his dedicated service over the years and wished him a happy retirement.



[Effective Exchange Rate Index](#)

The effective exchange rate index for the Hong Kong dollar on Thursday, June 18, 2020 is 107.7 (down 0.2 against yesterday's index).

[Man fined for operating unlicensed guesthouse](#)

A man was fined \$3,000 at the Shatin Magistrates' Courts today (June 18) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The court heard that in September last year, officers of the Office of the Licensing Authority (OLA) from the Home Affairs Department, when searching the Internet for intelligence about unlicensed guesthouse activities, identified a suspected unlicensed guesthouse on Yuk Tai Street in Ma On Shan. The OLA officers posed as lodgers and successfully rented a room in the guesthouse on a daily basis through an Internet platform.

According to the OLA's records, the guesthouse did not possess a licence under the Ordinance on the day of lodging. The man responsible for operating the premises was charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and can lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment. Guesthouse licensees may advertise or offer to provide sleeping accommodation on the Internet. To assist the public and tourists to identify licensed guesthouses, the licensees should indicate clearly "Licensed guesthouse" in all promotional advertisement materials or advertisements related to the guesthouse.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA by the hotline (Tel: 2881 7498), by email (hadlaeng@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".

Fraudulent website related to OCBC Wing Hang Bank Limited

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public to a press release issued by OCBC Wing Hang Bank Limited on fraudulent website, which has been reported to the HKMA. Hyperlink to the press release is available on the [HKMA website](#) for ease of reference by members of the public.

Anyone who has provided his or her personal information to the website concerned or has conducted any financial transactions through the website should contact the bank concerned using the contact information provided in the press release, and report to the Police or contact the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force at 2860 5012.