

Appointment of the Chief Judge of the High Court

The following is issued on behalf of the Judiciary:

The Chief Justice of the Court of Final Appeal, Mr Geoffrey Ma Tao-li, today (May 22) welcomed the acceptance by the Chief Executive of the recommendation of the Judicial Officers Recommendation Commission (JORC) on the appointment of the Honourable Mr Justice Jeremy Poon Shiu-chor, Justice of Appeal of the Court of Appeal of the High Court, as the Chief Judge of the High Court. The Chief Justice noted that the Government would be seeking the endorsement of the Legislative Council of the recommended appointment.

The High Court of the Hong Kong Special Administrative Region is a court of unlimited civil and criminal jurisdiction, subject to the provisions of the High Court Ordinance (Cap. 4). The High Court consists of the Court of Appeal and the Court of First Instance. The Court of Appeal and the Court of First Instance are constituted by judges including the Chief Judge of the High Court, who is the president of the Court of Appeal.

Mr Justice Poon stated that he is honoured by the Chief Executive's acceptance of JORC's recommendation on the appointment. He noted that the Government would be seeking the Legislative Council's endorsement and said that if appointed, he would do his utmost to discharge his duties as the Chief Judge of the High Court.

Appointment of non-permanent judge from another common law jurisdiction of the Court of Final Appeal

The following is issued on behalf of the Judiciary:

The Chief Justice of the Court of Final Appeal, Mr Geoffrey Ma Tao-li, today (May 22) welcomed the acceptance by the Chief Executive of the recommendation of the Judicial Officers Recommendation Commission on the appointment of the Right Honourable Lord Jonathan Sumption as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal. The Chief Justice noted that the Government would be seeking the endorsement of the Legislative Council of the recommended appointment.

The Hong Kong Court of Final Appeal Ordinance (Cap. 484) provides for a list of non-permanent Hong Kong judges and a list of judges from other common

law jurisdictions. Currently, there are four non-permanent Hong Kong judges and 14 non-permanent judges from other common law jurisdictions. The maximum number of non-permanent judges is 30. In hearing and determining an appeal, the Court of Final Appeal is constituted by five judges, i.e. the Chief Justice, three permanent judges and one non-permanent Hong Kong judge or one non-permanent judge from another common law jurisdiction.

The recommended appointment of Lord Sumption to the Hong Kong Court of Final Appeal will increase the number of non-permanent judges from other common law jurisdictions from 14 to 15 and will provide greater flexibility for dealing with the caseload of the Court of Final Appeal.

Senior judicial appointment: non-permanent judge from another common law jurisdiction of the Court of Final Appeal

The Chief Executive, Mrs Carrie Lam, has accepted the recommendation of the Judicial Officers Recommendation Commission (JORC) on the appointment of the Right Honourable Lord Jonathan Sumption as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal. Subject to the endorsement of the Legislative Council, the Chief Executive will make the appointment under Article 88 of the Basic Law.

Mrs Lam said, "I am pleased to accept the JORC's recommendation to appoint Lord Sumption as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal. Lord Sumption was a Justice of the Supreme Court of the United Kingdom since January 2012 until he retired from the office in December 2018. He is a judge of eminent standing and reputation. I am confident that he will be a great asset to the Court of Final Appeal.

"With the appointment of Lord Sumption, the panel of non-permanent judges from other common law jurisdictions will consist of 15 eminent judges from the United Kingdom, Australia and Canada. The presence of these non-permanent judges manifests the judicial independence of Hong Kong."

The Court of Final Appeal is constituted by five judges when hearing and determining appeals. Since July 1, 1997, apart from very few exceptions, one of the judges has invariably been drawn from the list of non-permanent judges from other common law jurisdictions to hear a substantive appeal on the Court of Final Appeal.

Article 90 of the Basic Law provides that the Chief Executive shall

obtain the endorsement of the Legislative Council on the appointment of judges of the Court of Final Appeal. The Government will seek the endorsement of the Legislative Council of the recommended appointment in due course.

The curriculum vitae of Lord Sumption is in the Annex.

Senior judicial appointment: Chief Judge of the High Court

The Chief Executive, Mrs Carrie Lam, has accepted the recommendation of the Judicial Officers Recommendation Commission (JORC) on the appointment of the Honourable Mr Justice Jeremy Poon Shiu-chor, Justice of Appeal of the Court of Appeal of the High Court, as the Chief Judge of the High Court. Subject to the endorsement of the Legislative Council, the Chief Executive will make the appointment under Article 88 of the Basic Law.

Mrs Lam said, "I am pleased to accept the JORC's recommendation to appoint Mr Justice Poon as the Chief Judge of the High Court. Mr Justice Poon is a highly competent judge of high integrity who commands respect within the Judiciary and from the legal profession. He is experienced in both civil and criminal appeals and possesses rich administrative experience. I am confident that Mr Justice Poon, if appointed, will discharge his duties as the Court Leader of the High Court with distinction."

Article 90 of the Basic Law provides that the Chief Executive shall obtain the endorsement of the Legislative Council on the appointment of the Chief Judge of the High Court. The Government will seek the endorsement of the Legislative Council of the recommended appointment in due course.

The curriculum vitae of Mr Justice Poon is in the Annex.

LCQ12: Air quality in Tung Chung

Following is a question by the Hon Chan Chi-chuen and a written reply by the Acting Secretary for the Environment, Mr Tse Chin-wan, in the Legislative Council today (May 22):

Question:

In its reply to a question raised by me on February 28 last year, the Government said that the air quality in Tung Chung continued to improve from

2013 to 2017. However, quite a number of Tung Chung residents have recently relayed to me that they feel that the air quality in Tung Chung has continued to deteriorate in recent months (especially after the commissioning of the Hong Kong-Zhuhai-Macao Bridge). In this connection, will the Government inform this Council:

(1) of the respective numbers of exceedances of concentrations of various pollutants (including respirable suspended particulates (i.e. PM₁₀), fine suspended particulates (i.e. PM_{2.5}), ozone, sulphur dioxide, nitrogen dioxide and carbon monoxide), as recorded by the air quality monitoring station in Tung Chung last year, against the Air Quality Objectives or other relevant objectives, and the details of the exceedances of each type of pollutants, including the respective average and maximum extent of exceedances and concentrations;

(2) of the measures to be implemented to ensure that the air quality in Tung Chung will not further deteriorate; and

(3) whether it has regularly reviewed the effectiveness of the various air quality improvement measures for improving the air quality in Tung Chung; if so, of the outcome; if not, the reasons for that?

Reply:

President,

My consolidated responses to the questions raised by the Member are as follows:

The overall air quality of Hong Kong (including Tung Chung) has been improving in recent years. From 2014 to 2018, the annually average concentration of key air pollutants including respirable suspended particulates (RSP or PM₁₀), fine suspended particulates (FSP or PM_{2.5}), sulphur dioxide (SO₂) and nitrogen dioxide (NO₂) recorded at the Tung Chung Air Quality Monitoring Station has dropped by about 20 to 30 per cent, while the ozone (O₃) level remained flat. The details are set out in Annex I and Annex II.

Ozone is a complicated regional air pollution problem. It is not directly emitted from pollution sources but formed by photochemical reactions of nitrogen oxides and volatile organic compounds from various pollution sources in the region under sunlight. It can be transported by wind and affect different areas in the region.

In addition to our efforts to reducing local emissions, the Hong Kong Special Administrative Region Government is working with the Guangdong Province to tackle the regional air pollution. According to the monitoring data in Annex II, it can be seen that the downward trend of key pollutant concentrations in Tung Chung is discernible while the concentration of PM_{2.5}, as an indicator of the regional smog problem, also showed a declining trend. With the progressive reduction in the concentration of various pollutants, it is anticipated that the photochemical reactions resulting in formation of O₃

will slow down gradually in the future. The Government will continue to monitor the air quality of various districts in Hong Kong including Tung Chung and evaluate the effectiveness of the control measures.