

# HKSAR Government strongly refutes foreign politicians' recent remarks on Hong Kong

On recent allegations made by certain officials and politicians in the United States, the United Kingdom and the European Parliament relating to a Hong Kong Police's arrest operation on April 18 and other security matters, a spokesman for the Hong Kong Special Administrative Region (HKSAR) Government said today (May 1) that they were totally unfounded and amounted to a serious intervention in Hong Kong's affairs. The HKSAR Government strongly disagreed with the grossly irresponsible remarks and expressed deep regret about them.

The spokesman pointed out that since its return to the Motherland, the HKSAR had maintained stability and prosperity under the principle of "One Country, Two Systems", exercising "Hong Kong people administering Hong Kong" and a high degree of autonomy in strict accordance with the Basic Law (BL) of the HKSAR of the People's Republic of China.

"The Central Government has time and again reiterated that it will unswervingly implement the policy of 'One Country, Two Systems' and make sure that it is fully applied in Hong Kong without being bent or distorted. How to implement the policy in the HKSAR – an inalienable part of the People's Republic of China (BL Article 1) and a local administrative region of the People's Republic of China which shall enjoy a high degree of autonomy and come directly under the Central People's Government (BL Article 12) – are entirely internal affairs of the People's Republic of China. No other state has the right to intervene, directly or indirectly, in those internal affairs," the spokesman added.

"The people of Hong Kong enjoy extensive rights and freedoms which are enshrined in the BL. BL Article 4 states that the HKSAR shall safeguard the rights and freedoms of the residents of the HKSAR and of other persons in the Region in accordance with law. In addition, human rights and freedoms in Hong Kong are fully protected by the Hong Kong Bill of Rights Ordinance and other legislation, and underpinned by an independent judiciary."

The HKSAR Government always respects and protects human rights and freedoms. Any allegation that there has been an erosion in freedoms enjoyed by Hong Kong people is unfounded. However, these rights are not absolute. As pointed out by the Chief Justice of the Court of Final Appeal at the Ceremonial Opening of the Legal Year 2020, "it is important to understand that the enjoyment of these rights has limits so as not to affect adversely to an unacceptable level the enjoyment by other members of their community of their rights and liberties." There are clear limits in the law as to the exercise of these rights. When law is broken, action will be taken in accordance with the criminal justice system.

"We therefore take great exception to comments made by officials and politicians in foreign countries concerning the recent arrests and prosecution of a number of persons for organising and participating in unauthorised assemblies in Hong Kong. The allegation by some that those arrests amounted to an attack on Hong Kong's freedoms and a breach of the BL is absurd and can hardly stand the test of any law-abiding jurisdiction," the spokesman said.

BL Article 63 provides that "The Department of Justice of the Hong Kong Special Administrative Region shall control criminal prosecutions, free from any interference." The prosecutors have always been discharging this constitutional duty independently and professionally, without fear or favour. Prosecutorial decisions are based on an objective assessment of all admissible evidence and applicable laws, made strictly in accordance with the Prosecution Code which is available to the public. Cases will not be handled any differently owing to the political beliefs or background of the persons involved.

When law enforcement agencies have completed their investigation, they would seek legal advice from the Department of Justice. The prosecutors would carefully consider the investigation reports and relevant materials submitted. A prosecution would only be commenced if the prosecutor is satisfied that there is sufficient admissible evidence to support a reasonable prospect of conviction.

In short, the well-established procedures of Hong Kong's criminal justice system include the independent investigations by law enforcement agencies, the independent prosecutorial decisions based on the objective assessment of evidence, applicable laws and in accordance with the Prosecution Code, and finally, open trials by an independent judiciary.

"The guarantee of judicial independence is explicitly set out in the BL and the quality of the judgments of our courts contribute to the much respected judiciary and rule of law in the HKSAR.

"We therefore note with abhorrence certain overseas politicians' request that the HKSAR Government should drop the charges against the arrested individuals. If we were to accede or to be seen to yield to such unreasonable demands, we would not only be unfair and unprofessional but would also act in violation of the spirit of the rule of law – a core value in Hong Kong," the spokesman said.

The HKSAR Government remains steadfast to uphold the rule of law. The latest Rule of Law Index 2020 released by the World Justice Project, in which Hong Kong maintains its ranking as No. 5 in the East Asia and Pacific Region and No. 16 globally, several places ahead of the United States, has clearly affirmed Hong Kong's commitment.

On legislating for BL Article 23, the spokesman said, "The HKSAR Government has the constitutional duty to ensure that the necessary legislation is in place to safeguard national security. Having laws in place

to protect national security is common in many jurisdictions, and we do not see how any defence of sovereignty and security by a jurisdiction would impact on its local and overseas investment. Coincidentally, it is relevant to note security issues arising from the social unrest last year were part of the causes affecting Hong Kong's score under 'Investment Freedom' according to the US-based Heritage Foundation 2020 Index of Economic Freedom."

As regards enquiries about the role of the Hong Kong and Macao Affairs Office of the State Council (HKMAO) and the Liaison Office of the Central People's Government (LOCPG) in the HKSAR, they represent the Central People's Government (CPG) to which the HKSAR comes directly under pertaining to BL Article 12. These offices have the power and responsibility over the proper and full implementation of the BL and "One Country, Two Systems" in the HKSAR.

It is therefore clearly legitimate for the HKMAO and the LOCPG to recently express their concerns over the prolonged paralysis of the House Committee of the Legislative Council (LegCo), thereby hindering the LegCo's performance of its legislative functions under the BL.

"Any suggestion that those legitimate remarks by the HKMAO and the LOCPG amount to interference only illustrates an ignorance of the constitutional order of the HKSAR and its relationship with the Central Authorities," the spokesman added.

---

## [Latest arrangements on AFCD public services](#)

The Agriculture, Fisheries and Conservation Department (AFCD) announced today (May 1) that its public services will resume as normal under a phased approach starting from next Monday (May 4).

The licensing services and reception counters at Cheung Sha Wan Government Offices and the Marine Parks Office at CDW Building in Tsuen Wan will resume normal services from Monday to Friday, from 8.30am to 12.30pm and 1.30pm to 5.45pm. Moreover, the anti-rabies dog inoculation and dog licensing services at the Animal Management Centres under the AFCD will also resume as normal from next Monday. All other Anti-Rabies Dog Inoculation and Licensing Centres will also reopen from next Monday.

Meanwhile, the AFCD's public facilities which have been closed earlier, including the Hong Kong Wetland Park (except some indoor facilities and play areas), eight Country Park Visitor/Education Centres, seven Hong Kong Geopark Park Visitor Centres and the Endangered Species Resources Centre, will reopen from next Monday. However, school and public programmes will remain

temporarily suspended until further notice.

The barbecue sites and campsites in country parks will continue to be closed until May 7 (11.59pm of Thursday night).

For enquiries, please call the AFCD on 2708 8885. Please refer to the AFCD's website ([www.afcd.gov.hk](http://www.afcd.gov.hk)) for the opening hours of its public facilities.

---

## **Distance Business Programme opens for IT service providers' applications**

The Innovation and Technology Commission today (May 1) announced that the Distance Business Programme under the Anti-epidemic Fund of the Government will accept applications from information technology (IT) service providers to enrol for the IT Service Providers Reference List from 9am on Monday (May 4).

"To support enterprises to continue their business and services during the epidemic, the Programme provides funding support through fast-track processing for enterprises to adopt IT solutions for developing distance business. We believe various sectors in Hong Kong will benefit from the Programme," a spokesman for the Commission said.

Under the Programme, for each IT solution and the relevant training expenses for the employees, the funding ceiling is \$100,000. Each enterprise may receive total funding of up to \$300,000 to undertake a project to be completed within six months.

The Programme covers 12 IT categories relating to distance business as follows:

- Online business;
- Online order taking and delivery, and smart self-service systems;
- Online customer services and engagement;
- Digital customer experience enhancement;
- Digital payment/mobile point of sale;
- Online/cloud-based financial management systems;
- Online/cloud-based human resources management systems;
- Remote document management, cloud storage and remote access services;
- Virtual meeting and conference tools;
- Virtual team management and communications;
- Cybersecurity solutions; and
- Other online/custom-built/cloud-based business support systems.

The Programme will provide an IT Service Providers Reference List to offer relevant market information for enterprises' reference. To enrol for the Reference List, a service provider should possess a valid Business Registration Certificate and technical capability and experience relating to the IT solution categories above. The Reference List with the first batch of service providers will be available on May 15 on the Programme website and will be updated regularly thereafter. The Programme will be open to enterprises for funding applications on May 18.

The Government has established the Distance Business Programme Vetting Committee to oversee the implementation of the Programme. The Committee is chaired by the Commissioner for Innovation and Technology, with members from the technology sector, the professional services sector, academia and the Office of the Government Chief Information Officer.

The Hong Kong Productivity Council is the Secretariat of the Programme. Details and the application form of the Programme are available on the Programme website ([u.hkpc.org/dbiz](http://u.hkpc.org/dbiz)). Interested service providers can submit applications online. For enquiries, please contact the Hong Kong Productivity Council by phone on 2788 5070 during business hours (9am to 6pm, Monday to Friday (except public holidays)) or via email at [dbiz@hkpc.org](mailto:dbiz@hkpc.org).

---

## **EDB to resume normal public services**

As the epidemic situation has stabilised, offices of the Education Bureau (EDB) will resume normal public services starting from Monday (May 4).

A spokesman for the EDB said today (May 1) that all Regional Education Offices, the Joint Office for Kindergartens and Child Care Centres, the School Places Allocation Section, the Qualifications Framework Secretariat and other service units will resume normal opening hours starting from Monday.

In light of the need for epidemic control, all offices will carry out measures to avoid group gatherings and continue to implement social distancing and infection control measures. Meanwhile, members of the public are encouraged to use alternative means to receive the services they need (such as on-line applications, by telephone, etc).

The following public facilities of the EDB will remain closed to the public temporarily during the class suspension period until further notice:

1. Hong Kong Teachers' Centre, Special Education Resource Centre, Central Resources Centre and Young Achievers' Gallery located at Kowloon Tong Education Services Centre; and
2. Arts and Technology Education Centre (including STEM Education Centre).

---

## Government response to labour groups' demands

In response to the demands of different labour groups, a Government spokesman today (May 1) said that the Government would continue to spare no effort in improving workers' benefits and protection, and enhancing occupational safety and health (OSH) in various industries at a pace commensurate with Hong Kong's overall socio-economic development. The Government would take into account both employees' interests and employers' abilities to afford the benefits, despite the severe blow dealt by the COVID-19 epidemic to the local economy.

"The seasonally adjusted unemployment and underemployment rates for January to March this year have soared to their highest levels in recent years. The labour market will continue to face significant pressure in the near term. The Government has rolled out relief measures of unprecedented scale, including the one-off measures in the 2020-21 Budget and two rounds of measures under the Anti-epidemic Fund (AEF) totalling \$287.5 billion (around 10 per cent of local Gross Domestic Product), with a view to preserving the vitality of the economy and relieving people's financial burden," the spokesman said.

"The Government will launch as soon as possible the Employment Support Scheme under the second round of AEF, with a total commitment of \$81 billion, to provide time-limited financial support to employers to help them retain employees who will otherwise be made redundant."

Moreover, the Government has earmarked \$6 billion to create around 30 000 time-limited jobs in the public and private sectors in the coming two years for people with different skills and academic qualifications. In addition, the Labour Department (LD) would raise the ceiling of the on-the-job training (OJT) allowance payable to employers under the Employment Programme for the Elderly and Middle-aged, the Youth Employment and Training Programme and the Work Orientation and Placement Scheme in the second half of this year; and launch a pilot scheme simultaneously to encourage eligible participants of these programmes to undergo and complete the OJT, through the provision of a retention allowance, thereby stabilising employment.

On improvements to other labour benefits, the spokesman said, "The Government is working at full steam on the preparatory work for the abolition of the arrangement of 'offsetting' severance payments and long service payments with employers' mandatory contributions under the Mandatory Provident Fund System. The Government will strive to introduce the enabling bill into the Legislative Council (LegCo) by the end of this year, aiming to secure its passage by 2022.

"The Government introduced the Employment (Amendment) Bill 2019 into LegCo on January 8 this year. The Bill, which proposes to extend statutory maternity leave by four weeks, is now being handled by the LegCo Panel on Manpower.

"The Chief Executive announced on January 14 this year 10 new initiatives on improving people's livelihood, one of which is to increase progressively the number of statutory holidays so that it will be on par with that of general holidays. The Government will work out the relevant proposal, invite the Labour Advisory Board to discuss, and will facilitate and support its work.

"Meanwhile, the Minimum Wage Commission is conducting a new round of review on the Statutory Minimum Wage rate and will submit a report on its recommendation to the Chief Executive in Council by end-October."

"The Government attaches great importance to employees' OSH. The LD has been adjusting its strategies of inspection and enforcement, publicity and promotion as well as education and training according to the OSH risk levels of different industries, driving employers and employees to work together in taking sufficient precautionary measures to prevent accidents," the spokesman added.