

HKSAR Government responds to media enquiries on reporting, photo and video-taking at prohibited places specified in subsidiary legislation made under Safeguarding National Security Ordinance

â€œIn response to media enquiries on reporting, photo and video-taking at prohibited places specified in the subsidiary legislation made under the Safeguarding National Security Ordinance, a spokesman for the Government of the Hong Kong Special Administrative Region today (May 16) said the following:

The Secretary for Security, Mr Tang Ping-keung, at the meeting of the Legislative Council Subcommittee on Two Items of Subsidiary Legislation Made under the Safeguarding National Security Ordinance and the subsequent media session yesterday (May 15), clearly said that according to section 45 of the Safeguarding National Security Ordinance, a "specified officer" (including a police officer or a guard of the prohibited place), who has reasonable grounds to believe that exercising such power is necessary for safeguarding national security, may order any person not to do or cease to do such acts as that of approaching or inspecting (including doing so by electronic or remote means) a prohibited place, and such officer may also order persons in the neighbourhood of a prohibited place to leave. Any person who contravenes an order commits an offence.

There is no problem for members of the public to purely "check in" and take photos near a prohibited place while passing by, without any intention of endangering national security. However, if they deliberately take photos or videos of the entrances or the interior of a prohibited place so as to inspect such place, or engage in other conduct during photo or video-taking giving people reasonable grounds to believe that they may endanger national security, police officers or guards of the prohibited place have the power to ask the members of the public to leave in accordance with the above legal requirements and the judgment made at the scene at the time.