

National Anthem Bill gazetted today

The National Anthem Bill was published in the Gazette today (January 11). The Bill implements the Law of the People's Republic of China on National Anthem (National Anthem Law) in Hong Kong by local legislation.

On November 4, 2017, the Standing Committee of the 12th National People's Congress adopted the decision to add the National Anthem Law to Annex III to the Basic Law. According to Article 18(2) of the Basic Law, the national laws listed in Annex III to the Basic Law shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region (HKSAR). It is thus the responsibility of the HKSAR Government to implement the National Anthem Law locally.

Having regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong, the Government proposes to implement the National Anthem Law in the HKSAR by local legislation. This approach is consistent with the "one country, two systems" principle.

The legislative principle of the Bill is to fully reflect the purpose and intent of the National Anthem Law, which is to preserve the dignity of the national anthem and promote respect for the national anthem; and at the same time to give due regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong.

The crux of the Bill is two-pronged: to state that the national anthem is the symbol and sign of the People's Republic of China and to lead people to respect the national anthem by directional provisions; and to introduce penalties for people who publicly and intentionally insult the national anthem or misuse the national anthem.

A Government spokesman said, "The Government consulted the Panel on Constitutional Affairs of the Legislative Council (LegCo) in March last year and attended two special meetings of the Panel in April and May last year respectively to listen to the views of individuals and organisations. The Government has also exchanged views and conducted discussions with political parties, representatives from various sectors such as education, and performing arts and culture, as well as legal representatives and academics."

The Government spokesman added that the Bill will be introduced into the LegCo for first reading and second reading on January 23. The Government will fully complement the work of LegCo in scrutinising the Bill to strive for its early passage.