

[Appointment of Hong Kong, China's representatives to ABAC](#)

The Government today (December 4) announced that the Chief Executive had re-appointed Ms Marjorie Yang as Hong Kong, China's representative, and Mr Nicholas Ho as alternate representative, to the Asia-Pacific Economic Cooperation (APEC) Business Advisory Council (ABAC), until the end of 2021.

Ms Marjorie Yang is the Chairman of Esquel Group, while Mr Nicholas Ho is the Deputy Managing Director of hpa (Ho & Partners Architects Engineers & Development Consultants Limited).

"I am very grateful to Ms Yang and Mr Ho for continuing to serve on ABAC. I am sure that their wealth of business experience will inject further impetus into the work of ABAC," the Secretary for Commerce and Economic Development, Mr Edward Yau, said.

ABAC was established in 1996 as a permanent business advisory body to provide advice to APEC on business sector priorities. Hong Kong, China has appointed three representatives and two alternate representatives to ABAC. Currently, the Chairman of Lan Kwai Fong Group, Dr Allan Zeman, and the Chairman of Sunwah Group, Dr Jonathan Choi, are the other two representatives. The Chairman and CEO of the Harilela Group, Dr Aron Hari Harilela, is the other alternate representative.

[Operators and managers of unlicensed guesthouses fined](#)

Two men and two women were charged with contravening the Hotel and Guesthouse Accommodation Ordinance at the Kowloon City Magistrates' Courts today (December 4). A man and a woman were fined \$2,000 and \$5,000 respectively, and the other man and woman were fined \$10,000 and \$4,000 respectively for two charges.

The courts heard that in May and August this year, officers of the Office of the Licensing Authority (OLA), the Home Affairs Department, inspected three suspected unlicensed guesthouses on Lai Chi Kok Road, Tong Mi Road and Pei Ho Street in Kowloon. During the inspections, the OLA officers posed as lodgers and successfully rented rooms in these guesthouses on a daily basis.

According to the OLA's records, these guesthouses did not possess

licences under the Ordinance on the days of inspection. The men and women responsible for operating and managing the premises were 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.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaenq@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".

LCQ 7: Administrative detention of Hong Kong residents on mainland

Following is a question by the Hon Charles Mok and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (December 4):

Question:

It has been reported that on August 8 this year, a Hong Kong resident then employed by the British Consulate General in Hong Kong took a business trip to the Mainland. In the evening on that day, he boarded a Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) train in Shenzhen to return to Hong Kong. However, upon arrival at the Mainland Port Area of the XRL West Kowloon Station, he was taken back to a police station in the Luohu District of Shenzhen on the Mainland by Mainland law enforcement officers. He alleged that during his detention, he was subjected to inhuman treatment (including coercive interrogation, sleep deprivation, blindfolding and hooding, hours of continuous torture and assault, as well as forced unlocking of his mobile phone and social media account), resulting in a violation of his basic human rights. He was released after 15 days of administrative detention. In this connection, will the Government inform this Council:

(1) as that person claimed that some Mainland law enforcement officers had revealed to him that some Hong Kong young people who had participated in the movement of opposition to the proposed legislative amendments (the opposition movement) in Hong Kong were being detained in Luohu police station on the Mainland, whether the Government is aware of such situation; if so, of the details;

(2) whether the Government received any complaint in the past three years about Hong Kong people being beaten or forced to confess by Mainland law enforcement officers during their detention on the Mainland; if so, whether it followed up such cases with the relevant Mainland departments for investigating if the complaints were substantiated and if any law enforcement officer had violated the laws;

(3) whether it knows the number of cases, since the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance (Cap 632) came into operation in September 2018, which involved Mainland law enforcement officers taking law enforcement actions against any person at the Mainland Port Area of the West Kowloon Station; whether the Government has been notified by the Mainland authorities of any case of criminal detention of Hong Kong residents in the Area; if so, of the details; and

(4) whether it knows the number of Hong Kong residents, since June this year, who were subjected to criminal compulsory measures (including summons for questioning, putting on bail, residential surveillance, detention and arrest) by the Mainland authorities because they had participated in the opposition movement; of the details of such cases, as well as the follow-up actions taken by the Government to ensure that the fundamental rights of those residents are protected?

Reply:

President,

ã€€ã€€In respect of the alleged case cited in the question which was also reported by the media, the Mainland authorities have stated that the subject was in administrative detention for 15 days for soliciting prostitution in breach of the Law on Penalties for Administration of Public Security, and that during the period the Mainland authorities had in accordance with the law protected the various legal rights of the subject. Therefore, our reply to the Hon Mok does not imply our acknowledgement of the allegations raised in the question.

ã€€ã€€Regarding the question raised by the Hon Charles Mok, my reply after consultation with relevant bureaux and departments is as follows:

(1) and (2) Upon receipt of request for assistance from the subject's family on August 9, the Hong Kong Immigration Department (ImmD) immediately inquired about and followed up the matter via the Economic and Trade Office (ETO) of the Government of the Hong Kong Special Administrative Region (HKSAR) in Guangzhou, and provided appropriate assistance and advice according to his family's wishes. Meanwhile, the Police also received report from the subject's family and classified the case as missing person. In late August the subject returned to Hong Kong upon release, and he has not raised further requests to the HKSAR Government for assistance.

ã€€ã€€The HKSAR Government always attaches importance to cases in which Hong Kong residents are detained or imprisoned outside the territory. The

Government also takes heed of their legal rights and strives to provide them with assistance. At the same time, Hong Kong residents must abide by local laws when they are outside Hong Kong. The HKSAR Government will not and also considers it inappropriate to interfere in the enforcement actions under the jurisdiction of the local authorities.

When Hong Kong residents are detained or involved in criminal litigations or proceedings on the Mainland, the ImmD and/or ETOs on the Mainland will, depending on the circumstances of individual cases and the wishes of the assistance seekers (usually through family members of the concerned Hong Kong residents), inquire of the assistance seekers about details of the cases and explain to them the relevant legislation, regulations and criminal procedures on the Mainland; remind the assistance seekers to consider engaging lawyers on the Mainland to act as their legal representatives and give legal advice on their cases; and if necessary, provide information on the lawyers' associations on the Mainland. Besides, at the request of the assistance seekers, the ETOs on the Mainland will assist them in conveying their requests to relevant authorities on the Mainland through the established mechanism as appropriate.

(3) According to the Co-operation Arrangement between the Mainland and the Hong Kong Special Administrative Region on the Establishment of the Port at the West Kowloon Station of the Guangzhou-Shenzhen-Hong Kong Express Rail Link for Implementing Co-location Arrangement and the Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Ordinance, except for "reserved matters" provided in the Ordinance, for the purposes of the applicability of law and delineation of jurisdiction, the West Kowloon Station Mainland Port Area is within the Mainland jurisdiction; and the Mainland authorities can exercise jurisdiction in the Mainland Port Area. Figures of law enforcement in the Mainland Port Area and individual cases are matters related to the Mainland jurisdiction instead of the HKSAR's, and the HKSAR Government does not maintain such information.

Under the current reciprocal notification mechanism, the Mainland and the HKSAR Government should notify each other of the following two kinds of cases regarding residents of the other side: i) the imposition of criminal compulsory measures or institution of criminal prosecution; and ii) unnatural deaths. The notification arrangements also apply to the West Kowloon Station Mainland Port Area.

(4) According to the reciprocal notification mechanism between the Mainland and the HKSAR, during the period from January to October this year the Mainland authorities made 799 notifications concerning the imposition of criminal compulsory measures on Hong Kong residents, involving 611 Hong Kong residents who were suspected of committing crimes such as drug abuse, fraud and smuggling. After receiving notification from the Mainland, the HKSAR Government will inform the family members of concerned Hong Kong resident as early as possible of the imposition of criminal compulsory measures on the Hong Kong residents on the Mainland, so that the person's family members may consider and decide whether to engage a local lawyer or to render other assistance to the person in order to safeguard his/her legal rights. They may

also seek assistance from the HKSAR Government when necessary.

LCQ 22: Police officers injured during operations between June and November

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (December 4):

Question:

In the demonstrations since June this year which were triggered by the disturbances arising from the opposition to the proposed legislative amendments, the demonstrators' violent acts have been escalating continuously, turning from, at the initial stage, storming the Legislative Council Complex and government buildings, blocking roads, hurling bricks and paralysing the airport's operation, to assaulting police officers, hurling a large quantity of petrol bombs and committing arson, vandalising MTR stations and shops, "settling privately" (the code words for making vigilante attacks) those persons with different political views, etc. Quite a number of police officers were injured while on duty, and several thousands of demonstrators were arrested. In this connection, will the Government inform this Council:

(1) of the number, since June this year, of police officers injured while on duty in demonstrations, with a tabulated breakdown by (i) the injured body parts of the police officers and (ii) the seriousness of the injuries when they were sent to hospital;

(2) of the total number, since June this year, of demonstrators who were arrested for the first time and then admitted to bail, as well as the general bail conditions; and

(3) of the current number of cases listed for trials which are related to the disturbances arising from the opposition to the proposed legislative amendments, and the relevant average time needed for listing since June this year?

Reply:

President,

Since early June this year, over 900 protests, processions and public meetings have been staged in Hong Kong, many of which eventually turned into violent unlawful events. In the past five months or so, some rioters repeatedly engaged in serious illegal acts, including wantonly blocking roads, paralysing the traffic, hurling petrol bombs and bricks at various

locations, setting fires, vandalising and burning shops and MTR and Light Rail facilities, and violently assaulting people with different views. These acts have seriously jeopardised personal safety as well as public order and public safety.

Police officers will be exposed to a higher risk of injury while performing their duties under dangerous circumstances, or when facing rioters who deliberately assault police officers both on duty or off duty, have propensity to violence or carry weapons. Police officers injured while on duty will not only result in impairments to their personal safety and health, but will also make them unable to perform their duties, undermining the Police's ability to enforce the law. Therefore, the public order will also suffer as a result.

Hong Kong is a society upholding the rule of law, with everyone must abide by the law. The Hong Kong law applies to all places in the territory and nowhere is above the law. It is the statutory duty of the Police to maintain public safety and public order. In case of serious threats to public order and public safety, the Police must take appropriate law enforcement actions. The Police will definitely handle lawbreakers seriously by sparing no effort in conducting investigation to bring them to justice.

Stopping violence and curbing disorder is currently the top priority of the Hong Kong Special Administrative Region Government. For the past few months, various bureaux and departments of the Government have been proactively striving to support and complement the Police's effort in this respect under their respective purview. As a professional disciplined service, the Police will continue to stand fast at their posts and carry out their duties dedicatedly. The Government would like to reiterate that if members of the public are law-abiding and refrain from using violence, there would be no need for the Police to use force.

Our consolidated reply to Hon Holden Chow's question is as follows:

(1) From June 9 to November 29, a total of 483 police officers, with their ranks ranging from Police Constable to Chief Superintendent of Police, were injured during operations. Reasons for their injuries include:

(a) Being burnt by petrol bombs hurled by rioters. A police officer was hit by a petrol bomb while performing duties at Tsim Sha Tsui Police Station and suffered from severe burns to the skin as a result. Another police officer, after sustaining injuries in an attack, was inflicted with severe skin burns from petrol bombs hurled by rioters;

(b) Being burnt by corrosive liquid hurled by rioters. A police officer suffered from severe skin burns caused by corrosive liquid splashed on him when handling an incident of clashes in Tuen Mun; and

(c) Being assaulted or bitten by rioters. Some police officers were assaulted by a number of protesters during dispersal operations. A police officer had part of his finger bitten off by a protester when subduing him in Sha Tin.

(d) Being injured by hard objects including bricks, iron bars, wooden sticks and stones, resulting in fractures or various degrees of trauma. A police officer suffering from facial fracture due to attack on the head has not yet recovered;

(e) Being injured by sharp objects including sharp knives, cutters, arrows and objects sharpened by rioters such as iron rods, bamboo sticks, hiking poles and water pipes, resulting in various degrees of lacerations and stabbing wounds. A police officer was slashed in the neck by a rioter's cutter and was needed to undergo urgent surgical treatment. Another police officer's calf was shot through by a rioter's arrow and was needed to undergo surgery to remove the arrow and further treatment;

(f) Being injured by modified weapons including steel beads, glass or other hard objects shot from catapults and slingshots, resulting in various degrees of abrasions and contusions. A police officer was hit in the mouth by a metal bead.

The Police do not maintain the breakdown statistics requested in the question. However, the abovementioned unlawful acts have caused police officers facing serious threats to personal safety and even life-threatening situations. Some injured officers are yet to be able to return to work.

(2) and (3) As at November 28, a total of 5 889 persons were arrested by the Police at public order events held since June 9, 2019. Among them, 921 persons have their judicial proceedings ongoing while 33 persons have their judicial proceedings concluded.

Among the convicted cases, a person was sentenced to imprisonment of two weeks, four months and eight months respectively upon conviction of "criminal damage", "assaulting police officer" and "unlawful assembly". As part of the sentence is executed concurrently, the total sentence was imprisonment of 10 months. An under-aged person was sentenced to the rehabilitation centre after being convicted for "possession of offensive weapon in public place" and "possession of offensive weapon with intent". The detention period can be between three and nine months.

Among those who have been charged, 102 are aged under 18 and 362 reported to be students, accounting for 10.9 per cent and 38.6 per cent of the total number of persons charged respectively.

As at November 28, 3 905 persons are on police bail pending further investigation by the Police. The legal basis and statutory authority for police bail are set out in section 52(3) of the Police Force Ordinance. Such police bail may be granted to discharge a person on his entering into a recognisance with or without sureties for a reasonable or specified amount, and the arrestee shall subsequently appear at such police station and at such time as is named in the recognisance.

When a charge is laid against a defendant, the case will first be brought up in a Magistrates' Court. The actual time required for a trial to take place from its first appearance at the Magistrates' Courts varies from

case to case. It depends mainly on the time required for both the prosecution and the defence to prepare for trial, with all relevant factors such as the complexity of the case, the number of defendants involved, the number of factual or expert witnesses involved, and the time needed for processing any duty lawyer or legal aid application taken into account. The time required will also be affected by the anticipated length of the trial, the availability of counsel and the court's own availability.

When a case is adjourned for further hearings, the magistrate may need to consider granting of bail. The magistrate will process bail application strictly in accordance with Part IA of the Criminal Procedure Ordinance (Cap 221). According to the record, the general condition of admission to bail for the cases mentioned in the question is that the defendant:

- (a) shall surrender to the court any passport or travel document;
- (b) shall not leave Hong Kong;
- (c) shall report to a police station as the court may specify weekly;
- (d) shall reside at a specified address and be present therein between such times as the court may specify (commonly known as "curfew order");
- (e) shall not enter any place or premises as the court may specify; and
- (f) shall pay cash bail by himself or his surety.

CHP reminds public on precautions against upcoming cold weather

The Centre for Health Protection (CHP) of the Department of Health (DH) today (December 4) reminded the public, particularly the elderly and people with chronic illnesses, to adopt appropriate measures to protect their health in view of the significant drop in temperature in Hong Kong tomorrow.

A spokesman for the CHP said that cold weather can easily trigger or exacerbate diseases, especially among the elderly and persons suffering from heart disease, respiratory illness or other chronic illnesses.

"Elderly people have less insulating fat beneath their skin to keep them warm and their body temperature control mechanism may be weaker. Their body may not be able to appropriately respond to the cold weather," the spokesman said.

Some senior persons may have decreased mobility, which can in turn slow down their ability to generate and conserve body heat. Chronic illnesses, such as hypertension, diabetes and endocrine disorders, may undermine the

health of elderly people and lower their metabolic rate, subsequently causing their body to generate less heat.

The CHP reminds the public, in particular the elderly and persons with chronic illnesses, to adopt the following preventive measures:

- Take note of the weather forecast. Wear warm clothing, including hats, scarves, gloves and socks accordingly;
- Consume sufficient food to ensure adequate calorie intake;
- Perform regular exercise to facilitate blood circulation and heat production;
- Stay in a warm environment and avoid prolonged outdoor exposure;
- Use heaters with care and maintain adequate indoor ventilation; and
- Seek medical advice if feeling unwell.

In addition, the public should avoid alcoholic beverages.

"Drinking alcohol cannot keep you warm. Alcohol accelerates the loss of body heat through dilated blood vessels, resulting in chilling instead," the spokesman said.

"Parents should ensure that babies are sufficiently warm, but it is also important to keep babies lightly clothed to avoid overheating them," the spokesman added.

Parents should observe the following safety measures when putting their children to bed:

- Keep the room well ventilated and with a comfortable temperature;
- Always place babies on their back to sleep. Babies usually sleep well without a pillow;
- Place babies on a firm and well-fitted mattress to sleep. Avoid soft objects and loose bedding;
- Leave their head, face and arms uncovered during sleep; and
- Let babies sleep in a cot placed in the parents' room and near their bed.

Members of the public are advised to take heed of the following advice to reduce the risk of getting influenza and respiratory tract infections:

- Maintain adequate rest, a balanced diet and regular physical activity, and avoid stress and do not smoke;
- Maintain good personal and environmental hygiene;
- Maintain good hand hygiene via proper handwashing or use of alcohol-based handrub;
- Ensure good ventilation;
- Wear a face mask in the event of influenza-like symptoms, while taking care of patients and when visiting hospitals or clinics;
- Cover the nose and mouth while sneezing or coughing. Dispose of soiled

tissue paper in a lidded rubbish bin and wash hands immediately afterwards;

- Seek medical advice when feeling unwell, and stay at home;
- Receive seasonal influenza vaccination, which is recommended for all persons aged 6 months or above except those with known contraindications; and
- Persons at higher risk of getting influenza and its complications, including the elderly and persons aged 50 to 64, should receive seasonal influenza vaccination early. Please see details of the Vaccination Subsidy Scheme on the CHP's [website](#).

Food-borne diseases, particularly those linked to hot pot cuisine, are also common in cold weather. The following preventive measures should be taken:

- Wash hands before handling and consuming food;
- Do not patronise unlicensed vendors or those with poor hygienic standards while selecting food;
- Wash and cook all food thoroughly;
- Vegetables should be washed thoroughly in clean running water before cooking and consumption. When appropriate, scrub vegetables with hard surfaces with a clean brush to remove dirt and substances, including pesticide residues and contaminants, from the surface and crevices;
- Shrimps should be fully cooked by cooking them until the shells turn red and the flesh turns white and opaque;
- For shellfish like scallops and geoduck, scrub the shells thoroughly and remove internal organs;
- Most hot pot ingredients should be stored in a refrigerator at 4 degrees Celsius or below, while frozen food should be stored in a freezer at -18 degrees C or below;
- Never use raw eggs as a dipping sauce for hot pot; and
- Use different sets of chopsticks to handle raw and cooked food to avoid cross-contamination.

In addition, the public should not use charcoal as cooking fuel in poorly ventilated areas, especially indoors, to avoid harmful exposure to carbon monoxide (CO) and prevent CO poisoning. While using other kinds of fuel, the public should also ensure adequate ventilation.

For more health information, the public may call the DH's Health Education Hotline (2833 0111) or visit the [CHP's website](#) and [Facebook Fanpage](#).

The public may also call Dial-a-Weather (1878 200) or visit the website of the [Hong Kong Observatory](#) for the latest weather information and forecast, or its page on [Weather Information for Senior Citizens](#).