

Transcript of media session by Secretary for Justice

Following is the transcript of remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at a media session after the meeting of the Panel on Administration of Justice and Legal Services at the Legislative Council today (January 28):

Reporter: Secretary, just regarding the Heritage Foundation's report, are you dismissing some of the concerns expressed in the report that there is increased interference from the Mainland? The second question is on your popularity. Do you think it is due to the fact that the Department of Justice didn't prosecute C Y Leung and that is harming your popularity? How would you deal with that?

Secretary for Justice: First of all, on your second question, I can't really comment on how people comment. That's very important because they may have certain facts or they may not have certain facts. In fact, I won't want to comment on that. But insofar as the popularity survey is concerned, of course, I paid due regard to it and I am very aware of the concerns that the public have expressed through the survey. But I want to assure the public that I would continue to discharge my duty as the Secretary for Justice together with my colleagues at the Department of Justice with resolve, humility and professionalism. As to the first point about the Heritage Foundation, it is very important to bear in mind that judicial independence is well engraved and well embedded in Hong Kong's legal system. We are ranked number one in Asia for a number of years, in the World Economic Forum's the Global Competitiveness Report. The arrangements for the NPCSC (Standing Committee of the National People's Congress) to provide certain interpretation on the Basic Law have been in place since 1997 and have been working well for Hong Kong in the light of the World Bank Indicators showing that our ranking on the rule of law has moved from 69.9% in 1996 all the way up to 93.8% in 2017. We moved from top 70th to top 14th on our rule of law. So, we are very confident that we will continue to uphold the rule of law and provide a very good system for both businesses as well as natural persons in Hong Kong.

Reporters: Secretary, could you enlighten us whether you are personally involved when giving your personal opinion, without encroaching on the merit of the case? Whether you are personally involved in the C Y Leung's case? And on the Heritage Foundation's report, do we have your words that you will not seek NPCSC's interpretation during your term of office?

Secretary for Justice: Insofar as the working within the Department of Justice is concerned, irrespective of whichever case, we are not going to divulge. It is a matter of professional basic ethics that everybody expected that the discussions especially involving legal matters are to be contained within the Department of Justice and kept confidential. Therefore, I would

not, unfortunately, be able to respond to your first question. As to the question that you asked based on the Heritage Foundation's comment, may I perhaps deal with it in this way – you asked whether I can guarantee or promise – well I am sure you would appreciate that under the Basic Law which is a national law, the ultimate power to interpret the Basic Law rests with the NPCSC under Article 158. Now whether and how they are going to exercise that power is not something that I can embark upon or to comment upon. And if the case so requires, that may happen. But having said that, one must not forget that under the arrangement of the Basic Law, insofar as any provisions that are set out in the Basic Law is concerned that relates to Hong Kong autonomous arrangements, that is our own matters. The court in Hong Kong will and can make their own interpretation of the provisions in the Basic Law, and therefore, will be able to do that without the need to seeking any interpretation from the NPCSC. And most importantly, it is not just a matter of law. Any decision on any case requires the consideration or an application of the facts to the law in order for the decision to come about. It is the court of Hong Kong, the Court of Final Appeal in Hong Kong, in particular, that is going to make that decision at the end of the day. Thank you very much.

(Please also refer to the Chinese portion of the transcript.)

LegCo to consider Financial Reporting Council (Amendment) Bill 2018

The following is issued on behalf of the Legislative Council Secretariat:

The Legislative Council (LegCo) will hold a meeting on Wednesday (January 30) at 11.30am (or immediately after the meeting for the Chief Executive's Question Time to be held at 11am) in the Chamber of the LegCo Complex. During the meeting, the Second Reading debate on the Financial Reporting Council (Amendment) Bill 2018 will resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

The Second Reading debate on the Inland Revenue (Amendment) (No. 6) Bill 2018 will also resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

During the meeting, the Chief Secretary for Administration will present "The Government Minute in response to the Report of the Public Accounts

Committee No. 70A of November 2018" and address the Council.

On Members' motions, Ms Starry Lee will move a motion under Rule 49E(2) of the Rules of Procedure. The motion states: "That this Council takes note of Report No. 10/18-19 of the House Committee laid on the Table of the Council on January 30, 2019 in relation to the Declaration of Constituencies (District Councils) Order 2018."

Mr Chan Chun-ying will move a motion on promoting the development of a financial technology hub to reinforce Hong Kong's position as an international financial centre. The motion states: "That it is stated in the Chief Executive's 2017 Policy Address that 'as an international financial centre with a highly-developed information and communication technology sector, Hong Kong is an ideal place for the development of financial technologies'; in this connection, this Council urges the Government to adopt effective measures to entice financial technology ('Fintech') enterprises and talents to establish their bases in Hong Kong, and encourage local tertiary institutions to offer professional Fintech courses, so as to increase the Fintech adoption rate in society."

Mr Chan Kin-por, Mr Charles Mok, Mr Dennis Kwok, Mr Wong Ting-kwong and Mr Christopher Cheung will move separate amendments to Mr Chan Chun-ying's motion.

Ms Starry Lee will move a motion on implementing diversified education to alleviate the pressure on students and parents. The motion states: "That for purposes of catering for the development of an innovative and knowledge-based society, this Council urges the Government to implement a diversified education approach to inspire students' creativity and cultivate diverse interests and skills in them, and eliminate the 'examination-oriented culture' and the malady of excessive drills on examination questions of students, in order to alleviate the pressure on students and parents; specific measures include:

- (1) incentivising more subsidised schools to introduce a suitable proportion of international curriculum, so as to give parents and students more choices;
- (2) expanding the scope of STEM (Science, Technology, Engineering and Mathematics) education with the inclusion of elements such as arts and artificial intelligence, and allocating additional resources to schools for training teachers and supporting schools in promoting the relevant education;
- (3) reviewing the Hong Kong Diploma of Secondary Education Examination system to reduce unnecessary examination pressure on students;
- (4) increasing the numbers of subsidized university places and subsidised top-up places for the second year in universities, so as to give students more choices in pursuing further studies;
- (5) increasing the opportunities for students to participate in Mainland and overseas exchange and internship programmes, so as to broaden the global outlook of the younger generation; and

(6) enhancing parental education to equip parents with greater capabilities in handling issues concerning their children's growth, studies, and so on."

Ms Claudia Mo, Mr Ip Kin-yuen, Mr Charles Mok, Mr Ho Kai-ming, Mr Hui Chi-fung, Dr Fernando Chueng, Mr Shiu Ka-chun and Ms Tanya Chan will move separate amendments to Ms Starry Lee's motion.

In addition, the Department of Justice will make a request under section 7 of the Legislative Council. (Powers and Privileges) Ordinance (Cap. 382) and Rule 90 of the Rules of Procedure for special leave of the Council to give evidence of Council proceedings.

During the meeting, Members will also ask the Government 22 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo Website (www.legco.gov.hk). Please note that the agenda is subject to change, and the latest information about the agenda could be found on the LegCo Website.

Members of the public are welcome to observe the proceedings of the meeting from the public galleries of the Chamber of the LegCo Complex. They may reserve seats by calling 3919 3399 during office hours. Members of the public can also watch or listen to the meeting via the "Webcast" system on the LegCo Website.

Public urged to donate blood before taking Chinese New Year vacations (with photos)

The following is issued on behalf of the Hospital Authority:

The Hong Kong Red Cross Blood Transfusion Service (BTS) today (January 28) urged members of the public to donate blood before taking vacations during the Chinese New Year holidays to help fill up the blood bank. The BTS needs the donations to tackle the low blood supply during the current winter surge and serve patients in need throughout the long holiday.

There has been a significant increase in demand for blood transfusion since the commencement of the winter surge in public hospitals. The cold and wet weather has brought down the blood supply, and the BTS has recorded persistently low collection levels lately. Those who go to donate now to stock up the blood bank will support the patients in need.

Most BTS donor centres will be open during the Chinese New Year holidays (except on February 5). For details, please refer to the table below, visit

www.ha.org.hk/rcbts, use the mobile app "HK Blood" or call 2710 1234.

As a token of thanks, all successful blood donors during the period from February 6 to 8 will receive a "CNY Goodie Bag", while stocks last.

The "HK Blood" app helps to locate the nearest donor centre across the city, and it can be downloaded via the following links:

iOS: itunes.apple.com/hk/app/hk-blood/id1387423207?mt=8

Android: play.google.com/store/apps/details?id=hk.org.ha.btsmapps&rdid=hk.org.ha.btsmapps

The opening hours of donor centres during the Chinese New Year holidays are as follows:

	February 4	February 5	February 6	February 7	February 8
Hong Kong Island					
Causeway Bay	11am to 8pm	Closed	11am to 8pm	11am to 8pm	11am to 8pm
Central	11am to 7pm	Closed	Closed	Closed	11am to 7pm
University of Hong Kong	10am to 6pm	Closed	Closed	Closed	Closed
Kowloon					
Mong Kok	11am to 9.30pm	Closed	11am to 7pm	11am to 7pm	11am to 9.30pm
Kwun Tong	11am to 8pm	Closed	11am to 8pm	11am to 8pm	11am to 8pm
West Kowloon	9.30am to 6pm	Closed	9.30am to 6pm	9.30am to 6pm	9.30am to 6pm
Hong Kong Polytechnic University	10am to 6pm	Closed	Closed	Closed	10am to 6pm
New Territories					
Tsuen Wan	11am to 8pm	Closed	11am to 8pm	11am to 8pm	11am to 8pm
Sha Tin	11am to 7pm	Closed	11am to 7pm	11am to 7pm	11am to 7pm
Yuen Long	11am to 7pm	Closed	11am to 7pm	11am to 7pm	11am to 7pm



Hong Kong Customs combats sale of infringing items at mobile hawker stalls (with photos)

Hong Kong Customs conducted an operation against the sale of infringing items at mobile hawker stalls in Central district on three consecutive Sundays – January 13, January 20 and January 27. During the operation, about 900 items of suspected infringing goods with an estimated market value of about \$70,000 were seized.

Customs has stepped up enforcement actions against infringing activities prior to the Lunar New Year. Multiple mobile hawker stalls selling suspected infringing goods in Central were raided and about 900 items of suspected infringing goods were seized including clothing, leather products, watches, shoes and eyeglasses.

During the operation, Customs arrested five men and two women, aged from 26 to 46.

Customs will continue to step up inspection and enforcement to combat infringing activities during the Lunar New Year period.

Under the Trade Descriptions Ordinance, any person who sells or possesses for sale any goods with a forged trademark commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Under the Copyright Ordinance, any person who sells or possesses for

sale any infringing goods commits an offence. The maximum penalty upon conviction is a fine of \$50,000 per infringing copy and imprisonment for four years.

Members of the public may report any suspected infringing activities to the Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).



[Latest test results of opening-up investigation in second stage of holistic assessment strategy for Hung Hom Station Extension under Shatin to Central Link Project](#)

The latest test results of the opening-up investigation in the second stage of the holistic assessment strategy for the Hung Hom Station Extension under the Shatin to Central Link (SCL) project (as at January 28) are now available at the Highways Department's website for the SCL project (www.hyd.gov.hk/en/road_and_railway/railway_projects/scl/index.html) for reference by the public.