

HKSAR Government responds to media enquiries regarding 2018 Legislative Council Kowloon West Geographical Constituency By-election

In response to media enquiries regarding the 2018 Legislative Council (LegCo) Kowloon West Geographical Constituency By-election, a spokesman for the Hong Kong Special Administrative Region (HKSAR) Government today (October 12) replies as follows:

Article 26 of the Basic Law stipulates that "Permanent residents of the Hong Kong Special Administrative Region shall have the right to vote and the right to stand for election in accordance with law". The HKSAR Government all along respects and safeguards the rights enjoyed by Hong Kong residents according to law, including the aforesaid rights to vote and to stand for election. At the same time, the HKSAR Government has a duty to implement and uphold the Basic Law and to ensure that all elections will be conducted in accordance with the Basic Law and relevant electoral laws.

The constitutional and legal status of the HKSAR is very clear. Article 1 of the Basic Law points out that the HKSAR is an inalienable part of the People's Republic of China (PRC). Article 12 of the Basic Law states that the HKSAR shall be a local administrative region of the PRC, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. Further, Article 159(4) of the Basic Law stipulates that no amendment to the Basic Law shall contravene the established basic policies of the PRC regarding Hong Kong (i.e. Hong Kong should be a special administrative region of the PRC under the "one country, two systems" principle).

The LegCo is the legislature of the HKSAR under the Basic Law. Its functions and other related matters are governed by Articles 66 to 79 of the Basic Law. In other words, the Basic Law is the genesis of the establishment and function of the LegCo. Moreover, according to Article 104 of the Basic Law, members of the LegCo must swear to uphold the Basic Law and pledge allegiance to the HKSAR when assuming office.

"Self-determination" or advocating independence could be an option for Hong Kong is inconsistent with the constitutional and legal status of the HKSAR as stipulated in the Basic Law, as well as the established basic policies of the PRC regarding Hong Kong. Upholding the Basic Law is a basic legal duty of a legislator. If a person advocates or promotes self-determination or promotes independence could be an option for Hong Kong, he or she cannot possibly uphold the Basic Law or fulfil his or her duties as a legislator.

The HKSAR Government notes that the Returning Officer for the 2018

LegCo Kowloon West Geographical Constituency By-election has begun to make decisions on the nomination of candidates. The HKSAR Government supports the making of decisions on the validity of nomination by the Returning Officer in accordance with the law. The Returning Officer has the duty as well as power to make those decisions according to the relevant electoral laws.

Regarding the Returning Officer's decision that the nomination of a candidate was invalid as she did not comply with section 40(1)(b)(i) of the Legislative Council Ordinance, the HKSAR Government agrees to and supports the decision by the Returning Officer. The candidate cannot possibly comply with the requirements of the relevant electoral laws, since advocating or promoting "self-determination", or promoting independence could be an option for Hong Kong is contrary to the content of the declaration that the law requires a candidate to make to uphold the Basic Law and pledge allegiance to the HKSAR.

Decisions made by the Returning Officer aim to ensure that the LegCo election is held in strict accordance with the Basic Law and other applicable laws in an open, honest and fair manner. There is no question of any political censorship, restriction of the freedom of speech or deprivation of the right to stand for elections as alleged by some members of the community.

[Independent Review Committee on Hong Kong's Franchised Bus Service to invite closing written submissions](#)

The following is issued on behalf of the Independent Review Committee on Hong Kong's Franchised Bus Service:

The Independent Review Committee on Hong Kong's Franchised Bus Service is now inviting closing written submissions from interested parties and members of the public on recommendations that the Committee ought to make or not make to the Chief Executive on safety-related measures, with a view to maintaining a safe and reliable franchised bus service in Hong Kong.

The Committee was set up following the fatal incident on Tai Po Road on February 10, 2018, and in light of other recent serious incidents involving franchised bus services, to conduct a comprehensive review of the operation and monitoring of franchised buses and to make recommendations to the Chief Executive.

Since the commencement of its work in March 2018, the Committee has invited and received from specified interested parties and members of the

public written submissions on matters pertaining to the safety of franchised bus services. The Committee has also held, as of today, hearings over 20 days to receive oral evidence from selected interested parties including the Transport and Housing Bureau, the Transport Department, the Hong Kong Police Force, franchised bus operators, trade unions representing bus captains, District Councils, a manufacturer of black boxes installed on franchised buses, a community organisation on road safety, current and former employees of a franchised bus company, and two experts appointed by the Committee to give expert opinions in relation to the public bus regimes in London and Melbourne.

The Secretariat to the Committee has prepared a set of document bundles containing the written submissions identified for use at the hearings, which has been made available at www.irc-bus.gov.hk/eng/bundles.html. Transcripts of the hearings held by the Committee are also available at the website of the Committee, at www.irc-bus.gov.hk/eng/transcripts.html.

The process of receiving written submissions and oral evidence is almost complete and it is anticipated that the receipt of oral evidence will conclude with the evidence of the representatives of the Transport Department on October 16, 2018. The Committee is now inviting specified interested parties and members of the public to make closing written submissions on recommendations that the Committee ought to make or not make to the Chief Executive on safety-related measures with a view to maintaining a safe and reliable franchised bus service in Hong Kong, on or before November 7, 2018.

Written submissions, which should be no more than 5 000 words (or 6 000 characters in Chinese) in length overall, may be provided in the following ways:

By post: Secretariat to the Independent Review Committee on Hong Kong's Franchised Bus Service, 21/F, Queensway Government Offices, 66 Queensway, Admiralty, Hong Kong (with the envelope specifying that the written submission is enclosed);

By fax: 3104 0254 (with the first page specifying that the written submission is enclosed); or

By email: secretariat@irc-bus.gov.hk (with the email heading specifying that the written submission is enclosed).

CFS finds Salmonella in rice sample with grilled pork neck

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene

Department announced today (October 12) that a sample of rice with grilled pork neck was found to contain a pathogen, Salmonella. The CFS is following up on the case.

"Following up on a food complaint, the CFS collected the above-mentioned sample from a restaurant in Tsuen Wan for testing. The test result showed the presence of Salmonella in 25 grams of the sample, exceeding the criterion of the Microbiological Guidelines for Food which states that Salmonella should not be detected in 25 grams of food sample," a CFS spokesman said.

The spokesman said that the CFS had notified the restaurant concerned of the unsatisfactory test result and instructed it to stop selling the concerned food item immediately. The CFS has also provided health education on food safety and hygiene to the person-in-charge and staff of the restaurant, and requested it to review and improve the food production process and carry out thorough cleaning and disinfection.

"Salmonella infection may cause fever and gastrointestinal upset such as vomiting, abdominal pain and diarrhoea. The effects on infants, young children, the elderly and patients with a weak immune system could be more severe and may even lead to death," the spokesman said.

The CFS will continue to follow up on the incident and take appropriate action to safeguard food safety and public health.

[Hong Kong Customs combats illicit cigarette activities \(with photos\)](#)

Hong Kong Customs mounted a territory-wide anti-illicit cigarette operation codenamed "Net" from October 2 to October 10 and seized about 770 000 suspected illicit cigarettes with an estimated market value of about \$2.1 million and a duty potential of about \$1.5 million in total.

During the operation, Customs detected a total of 50 illicit cigarettes cases and arrested 45 men and seven women, aged between 21 and 82.

The cases have been duly followed up.

Also, Customs officers today (October 12) intercepted a 51-year-old man in Chai Wan and found about 8 000 suspected illicit cigarettes in his possession. Later, Customs officers further seized about 53 000 suspected illicit cigarettes at a factory unit in the district. The estimated market value of the suspected illicit cigarettes seized is about \$160,000 with a duty potential of about \$120,000.

The 51-year-old man was arrested. Investigation is ongoing.

Under the Dutiable Commodities Ordinance, anyone involved in dealing with, possession of, selling or buying illicit cigarettes commits an offence. The maximum penalty upon conviction is a fine of \$1 million and imprisonment for two years.

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



[“Sparkle! Show Art’s Hand: An Investigation on Art Labour” exhibition explores meaning of artistic work](#)

The "Sparkle! Show Art's Hand: An Investigation on Art Labour" exhibition organised by Oi! was unveiled today (October 12) at Oi! in North Point. In an attempt to reconcile the dichotomies between practice and theory, the exhibition encourages visitors to reflect on the meaning of artistic labour.

Is art a labour of love or a game of chance? The exhibition opens the debate with an illustration by Justin Wong, Wilson Shieh's "2014 Calendar" and Jaye Rhee's video creation "The Perfect Moment". During the first phase of the exhibition, four new fine art graduates, namely Lawrence Cheng, Joanne Law, Livy Leung and Chivas Leung, are invited to present proposals for their solo exhibitions under the guidance of independent curators Ying Kwok and Suzanna Chung. They will then play mahjong to determine who will get to

execute his/her exhibition proposal in the second phase of the exhibition. The project curator, Anthony Leung, sees this exhibition as both action-research and an experiment with resource distribution, reflecting the overall process of artistic labour.

To coincide with the exhibition, Oi!, in partnership with orleanlaiproject, invited Vee Leong and four performers to present their durational work "On A New Day", which explores the contemporary notion of fatigue in relation to labour.

"Show Art's Hand: An Investigation on Art Labour" is the final exhibition of the "Sparkle!" series. The first phase of the exhibition runs until October 28, while the second phase will run from November 3 to January 6. The special programme "Mahjong for Art" will be held on October 27 (Saturday) from 3pm to 5pm. For details of the exhibition, please visit www.lcsd.gov.hk/CE/Museum/AP0/en_US/web/apo/sparkle_show_arts_hand.html or call 2512 3000.

For the "Sparkle!" exhibition series, eight local artists, namely Movana Chen, Enoch Cheng, Tang Siu-wa, Jeff Leung, Solomon Yu, Yentl Tong, Sara Wong and Anthony Leung, were invited to use Oi! as a platform to plan and stage exhibitions and other events that showcase the artistic qualities of the younger generation. Focusing on the relationship between art and contemporary living, the artists reflect on pressing issues in life and society using various means of artistic expression.

Oi! is located at 12 Oil Street, North Point.