

HKSARG strongly opposes to the United States-China Economic and Security Review Commission report

In response to the report released by the United States-China Economic and Security Review Commission (USCC) (Report) and the unfounded allegations in the Chapter on Hong Kong, a Hong Kong Special Administrative Region (HKSAR) Government spokesman said today (November 18):

"We strongly condemn and oppose to the various unfounded allegations made by the USCC in the Report. The HKSAR Government once again urges the United States (US) to respect the international law and basic norms governing international relations. Any attempts to interfere in the internal affairs of China through Hong Kong will not succeed and we will continue to discharge our responsibility of safeguarding the national security resolutely."

The Hong Kong National Security Law

"Following the implementation of the Hong Kong National Security Law (NSL), chaos has been stopped and stability restored in Hong Kong. The NSL ensures the resolute, full and faithful implementation of the policy of 'one country, two systems'. Hong Kong's high degree of autonomy remains protected and the legitimate rights and freedoms enjoyed by Hong Kong people under the Basic Law are well-protected. The NSL clearly stipulates that human rights shall be respected and protected in safeguarding national security in the HKSAR, and the rights and freedoms enjoyed by residents under the Basic Law and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong shall be protected in accordance with the law. The four categories of offences endangering national security clearly stipulated under the Hong Kong National Security Law are narrowly defined. There is no question of law-abiding persons inadvertently violating the law."

Business Environment

"In fact, the NSL has not only ensured a safe and stable environment in Hong Kong, but also reinforcing Hong Kong's position as an international financial centre and is conducive to attracting more global investors to do business and invest in Hong Kong. Since the implementation of the NSL, our financial market has remained steady. The banking sector is as robust as ever, financial services remain promising and development opportunities, both in Hong Kong and on the Mainland, continue to open up. Hong Kong was ranked the world's third-largest recipient of foreign direct investment in the World Investment Report 2021 published by the United Nations Conference on Trade and Development. And according to the latest surveys, there are 9 049 companies in Hong Kong with parent companies overseas or on the Mainland, increased by 10 per cent from 2017, as well as 3 755 start-ups in the city, a

jump of 68.5 per cent from 2017."

"Despite the deplorable attempt of the US Government to put pressure on multinational enterprises operating in Hong Kong by issuing a 'business advisory' in July 2021, the American Chamber of Commerce remarked that Hong Kong remained a critical and vibrant facilitator of trade and financial flows between China and the rest of the world; the NSL did not impact commercial law; Hong Kong had excellent infrastructure and free flow of information and was still an ideal place for international companies to do business; it would definitely not advise companies to withdraw from the Hong Kong market. These comments are the best testimony to the merits of Hong Kong as a business place."

"The HKSAR Government strongly opposes the USCC's recommendation concerning reporting on Hong Kong's compliance with World Trade Organization (WTO) rules. As a separate customs territory, our rights as a WTO Member in the name of 'Hong Kong, China' are not subject to unilateral determination by any country. As one of the founding Members and a staunch supporter of the WTO, Hong Kong takes its rights and obligations in the WTO seriously. In the latest WTO Trade Policy Review conducted in 2018, Hong Kong was commended for its free and open trade policies and its unwavering support for the rules-based multilateral trading system. In contrast, the world bears witness to the continuous attempts of the US to unilaterally and irresponsibly undermine the rules-based multilateral trading system."

Improving the Electoral System

"We must seriously point out the Report's unfounded allegations against the improvement to the electoral system. To ensure that the electoral system of the HKSAR accords with the principle of 'one country, two systems' and the actual situation of the HKSAR, and that the principle of 'patriots administering Hong Kong' can be fully implemented, which is conducive to safeguarding the Country's sovereignty, security, and development interests, and maintaining Hong Kong's long-term prosperity and stability, the improvement to the electoral system of the HKSAR is both timely and necessary. The HKSAR Government is committed to ensuring public elections being conducted in a fair, open and honest manner."

National Security Education

"The allegation made in the Report regarding a HKSAR Government Circular on national security education directed at the universities is false. The relevant circular is only applicable to secondary and primary schools as well as kindergartens. As a matter of fact, post-secondary education institutions in the HKSAR are independent organisations. While enjoying autonomy on institutional affairs (including the handling of matters concerning student unions), the post-secondary education institutions have the responsibility to make sure their operations are in compliance with the law and meet the interests of the community at large. The NSL requires schools, including post-secondary education institutions, to promote national security education. As such, the institutions are promoting national security

education in accordance with the relevant statutory requirements and based on the principle of institutional autonomy to fulfil their obligation of safeguarding national security."

"Article 137 of the Basic Law of the HKSAR specifically and clearly states that educational institutions of all kinds may retain their autonomy and enjoy academic freedom. These safeguards provided in accordance with the Basic Law have not been altered in any way and remain in full force."

"Teachers are role models of their students. The Education Bureau has the responsibility to ensure the professional conduct of teachers. We would cancel the registration of seriously misconducted teachers in order to safeguard students' wellbeing, uphold the professionalism of teachers and maintain the society's confidence in the teaching profession. We should also cease any working relations with teachers' organisation that engages in political propaganda and even engages schools in politics under the guise of being a professional education organisation."

"Schools are places for students to learn and grow. It is the obligation of schools to provide a peaceful and orderly school environment and atmosphere, and to maintain a campus free from political interference or illegal activities. Implementation of national education, including national security education, is the legitimate duty of education authorities all over the world. Different places have different approaches to implement national security education and develop their students' sense of national identity, including knowledge of their own history, culture, respective constitution, geography, etc. National education is all along an important part of our secondary and primary school curriculum for nurturing our students to become quality citizens who are socially responsible and equipped with a sense of national identity, love for Hong Kong and international perspectives."

"We deeply regret that there exist double standards, biased quotes and groundless comments due to the lack of understanding of and respect for Hong Kong's implementation of national education."

Prosecution and Adjudication

"We take exception to the Report's unreasonable questions towards the prosecutorial decisions and judicial independence of the HKSAR. Article 63 of the Basic Law stipulates that prosecutions in the HKSAR are made by the Department of Justice, free from any interference. Prosecutorial decisions are based on an objective assessment of all admissible evidence, applicable laws and the Prosecution Code, without political considerations. Prosecutions would only be commenced if there is sufficient admissible evidence to support a reasonable prospect of conviction. No one should interfere with independent prosecutorial decisions which are carried out strictly in accordance with the law."

"That the courts of the HKSAR can exercise independent judicial power, including that of final adjudication free from any interference, has been enshrined under the Basic Law as set out in Articles 2, 19 and 85. Article 92

of the Basic Law also clearly stipulates that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities. The constitutional duty of judges, in the exercise of their judicial power, is to apply the law and nothing else. Such duty does not change when judges decide cases arising from or involving political controversies."

AFCD mounts wild pig capture operation at Shum Wan Road

The Agriculture, Fisheries and Conservation Department (AFCD) mounted a wild pig capture operation at Shum Wan Road, Aberdeen, today (November 17) with a view to reducing the number of wild pigs there and safeguarding public safety.

An AFCD spokesman said that the department started the wild pig capture operation at Shum Wan Road at 8pm this evening. Veterinarians used dart guns to capture seven wild pigs for humane dispatch through medicine injection. The operation was completed at 10pm.

The spokesman said that due to regular feeding at Shum Wan Road, wild pigs are accustomed to wandering along the road and looking for food from passers-by or even chasing vehicles. From 2018 to October this year, the AFCD conducted 12 capture and relocation operations at the site, and relocated 35 wild pigs to remote locations in the countryside and carried out contraception/sterilisation for 27 of them. However, capture and contraception/relocation operations could not effectively control the wild pig nuisance. A large group of wild pigs continued to wander and gather at the site, posing threats to members of the public and road users. The AFCD thus mounted a wild pig capture operation using dart guns for humane dispatch by medicine injection at the site today, so as to reduce the number of wild pigs there and safeguard public safety. The AFCD will continue to carry out wild pig capture operations and accord priority to sites with large numbers of wild pigs, and locations with past injury cases or with wild pigs that may pose risks to members of the public.

The spokesman appealed once again to the public not to feed wild pigs under any circumstances. Wild pigs are not pets but potentially dangerous large animals. Feeding activities will attract wild pigs to wander or gather in urban areas, which will not only pose danger to the feeder but also bring about threats to the safety of other citizens and cause nuisance to their daily lives. Wild pigs may also transmit zoonotic diseases, such as tuberculosis, hepatitis E, influenza A and *Streptococcus suis* infection, thereby posing threats to public health.

Government gazettes compulsory testing notice

â€‹The Government exercises the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and publishes in the Gazette a compulsory testing notice, which requires any person who had been present at nine specified premises during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test.

In view of two previous imported cases who had stayed in Hong Kong during the incubation period, any person who had been present at four specified premises during the specified period has to undergo additional testing. The Government strongly reminds members of the public to strictly follow the compulsory testing requirements and undergo the multiple tests on time as required. The above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well. They are advised to closely monitor their health conditions. They should seek medical attention and undergo testing even they have only mild symptoms.

Furthermore, since there was an outbreak of upper respiratory tract infection and/or influenza-like illness in five schools, and the symptoms of the diseases concerned are similar to those of COVID-19, for prudence's sake, the relevant schools or their specified levels are covered in the compulsory testing notice. Persons who have completed a COVID-19 vaccination course would be taken to have complied with the requirements set out in the compulsory testing notice.

Persons subject to compulsory testing in accordance with a compulsory testing notice must go to any of the mobile specimen collection stations, community testing centres (CTCs) or recognised local medical testing institutions to undergo professional swab sampling in fulfilling the requirements for compulsory testing. Young children may continue to undergo the test using a stool specimen.

If Tropical Cyclone Warning Signal No. 3 or above, the Red or Black Rainstorm Warning Signal or the post-super typhoon "extreme conditions" announcement by the Government is in force at any time during the period for undergoing the compulsory testing, the period for undergoing the compulsory testing will be further extended for one day.

The Comirnaty and CoronaVac vaccines are highly effective in preventing severe cases and deaths from COVID-19. They can provide protection to those vaccinated to prevent serious complications and even death after infection. The Government appeals to persons who are not yet vaccinated, especially senior citizens, chronic patients and other immunocompromised persons who face a higher chance of death after COVID-19 infection, to get vaccinated as

soon as possible for better self-protection before the fifth wave strikes in Hong Kong.

Details of the compulsory testing notice are in Annex 1.

Subsequent to the announcement by the Centre for Health Protection (CHP) on the updated quarantine arrangements of local COVID-19 cases with a mutant strain, persons who resided or worked within the same building as the residence of relevant cases will be subject to compulsory testing on specified dates in accordance with the announcement by the Department of Health (DH). They will also be required to undergo self-monitoring until the 21st day (see the details of the buildings and dates of testing at www.coronavirus.gov.hk/pdf/CTN_Specified_premises_and_Dates_of_Testing.pdf). For prudence's sake, the above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well.

In accordance with the compulsory testing notice issued earlier, all household members of close contacts are required to undergo compulsory testing. Any person who had lived with a person placed under quarantine pursuant to section 22 of the Prevention and Control of Disease Regulation (Cap. 599A) (person under quarantine) in the same residential unit on the date of commencement of quarantine or during the 14 days before that day, and who becomes aware of the quarantine of the person under quarantine when the relevant quarantine has not yet been completed, has to undergo testing within two days of him or her becoming aware that the person under quarantine has been placed under quarantine and report to the Government the result of the test by phone (6275 6901), fax (2530 5872) or email (ct@csb.gov.hk) within three days of undergoing the test. For prudence's sake, the above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well.

CTCs provide testing services for the public, including free service for persons subject to compulsory testing. Booking and walk-in services are available. Members of the public only need to provide simple personal information on the 24-hour booking system (www.communitytest.gov.hk/en). The system shows the booking status of the centres for the coming two weeks to facilitate the public's planning and selection of a suitable testing centre and a time slot for testing. The testing centres will accord priority to serve individuals with advance bookings. As of 6pm today (November 17), there were around 30 000 booking places available for tomorrow (November 18) at the CTCs, and around 92 per cent availability for booking places for the coming seven days. Members of the public may call the testing centres for enquiries on the availability of bookings or walk-in quotas before visiting the centres.

The Government will set the mobile specimen collection stations at Chai Wan Park (Soccer Pitch No.1) and Ocean Park Car Park tomorrow to provide free testing service for local residents and workers, and staff and visitors of Ocean Park subject to compulsory testing respectively. Outdoor mobile specimen collection stations will be closed if Tropical Cyclone Warning Signal No. 3 or the Red Rainstorm Warning Signal is in force while all mobile specimen collection stations together with all CTCs will be closed when

Tropical Cyclone Warning Signal No. 8 or higher or the Black Rainstorm Warning Signal is in force.

Coupled with all CTCs, there will be a total of 34 CTCs/mobile specimen collection stations in various districts tomorrow to provide free service for persons subject to compulsory testing. The testing capacity should be sufficient to meet the demand. The opening dates and operating hours of the mobile specimen collection stations in various districts providing free COVID-19 nucleic acid testing services for the general public are stated in Annex 2. Persons subject to compulsory testing and those with the "LeaveHomeSafe" COVID-19 exposure notification or SMS notification from the CHP reminding them to undergo testing as soon as possible may receive free testing at CTCs or mobile specimen collection stations (if the service scope is applicable).

Persons subject to compulsory testing may choose to undergo testing via the following routes:

1. To visit any of the mobile specimen collection stations (see the list and target groups (if applicable) at www.coronavirus.gov.hk/eng/early-testing.html) for testing;
2. To attend any of the CTCs (see the list at www.communitytest.gov.hk/en);
3. To self-arrange testing provided by private laboratories which are recognised by the DH and can issue SMS notifications in respect of test results (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf), and the relevant sample must be taken through combined nasal and throat swabs; or
4. To use a specimen bottle distributed to the relevant specified premises by the CHP (if applicable), and return the specimen bottle with the stool sample collected as per relevant guidelines.

If a person subject to compulsory testing obtains a medical certificate issued by a registered medical practitioner, proving that he or she is unfit to undergo testing using a sample taken through combined nasal and throat swabs because of health reasons, then he or she may choose to undergo testing via the following routes by providing a deep throat saliva sample:

1. To obtain a deep throat saliva specimen collection pack from any of the 121 post offices, vending machines set up at 20 MTR stations or 47 designated general out-patient clinics (GOPCs) of the Hospital Authority and return the specimen to one of the designated specimen collection points (see the distribution points and times, and the specimen collection points and times, at www.coronavirus.gov.hk/eng/early-testing.html);
2. To undergo testing at any of the GOPCs of the Hospital Authority as instructed by a medical professional of the Hospital Authority; or
3. To self-arrange testing provided by private laboratories which are recognised by the DH and can issue SMS notifications in respect of test results.

A spokesman for the Food and Health Bureau cautioned that testing received at the Accident and Emergency Departments of the Hospital Authority or during hospital stays, or testing provided by private laboratories which

cannot issue SMS notifications in respect of test results, does not comply with the requirements of the aforementioned compulsory testing notice.

"If persons subject to compulsory testing have symptoms, they should seek medical attention immediately and undergo testing as instructed by a medical professional. They should not attend the mobile specimen collection stations or the CTCs."

Persons subject to compulsory testing must keep the SMS notifications containing the result of the test and the relevant medical certificate (if applicable) for checking by a law enforcement officer when the officer requires the persons to provide information about their undergoing the specified test.

Furthermore, persons subject to testing under the compulsory testing notices should, as far as reasonably practicable, take appropriate personal disease prevention measures including wearing a mask and maintaining hand hygiene, and, unless for the purpose of undergoing the specified test, stay at their place of residence and avoid going out until the test result is ascertained as far as possible.

Any enquiries on compulsory testing arrangements may be addressed to the hotline at 6275 6901, which operates daily from 9am to 6pm. If persons subject to compulsory testing plan to conduct testing at any of the CTCs, they can check the centre's appointment status in advance. The hotlines of the CTCs are available at www.communitytest.gov.hk/en/info.

The Government will continue to trace possibly infected persons who had been to the relevant premises, and seriously verify whether they had complied with the testing notices. Any person who fails to comply with the testing notices commits an offence and may be fined a fixed penalty of \$5,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the order is an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.

Relevant officers of different government departments are empowered to perform certain functions under the relevant Regulations under the Prevention and Control of Disease Ordinance (Cap. 599), including requesting individuals to provide information and assistance when necessary. Any person who fails to comply with the relevant request commits an offence and would be liable to a fine at level 3 (\$10,000). Collection and use of any personal data for conducting COVID-19 tests must meet the requirements under the Personal Data (Privacy) Ordinance (Cap. 486). Government departments or testing service providers which handle the relevant information may provide the data to the DH or other relevant departments for anti-epidemic purposes as necessary. The workflow does not involve the provision of any personal data to organisations or persons outside Hong Kong.

The spokesman said, "The Government urges all individuals who are in doubt about their own health conditions, or individuals with infection risks (such as individuals who visited places with epidemic outbreaks or contacted

confirmed cases), to undergo testing promptly for early identification of infected persons."

Appeal for information on missing man in Ma On Shan (with photo)

Police today (November 17) appealed to the public for information on a man who went missing in Ma On Shan.

Wong Kwong-ming, aged 64, went missing after he was last seen on On Chun Street yesterday morning (November 16). His family made a report to Police on the same day.

He is about 1.7 metres tall, 75 kilograms in weight and of fat build. He has a round face with yellow complexion and short black hair. He was last seen wearing a white long-sleeved shirt, black pants, black shoes and carrying a red plastic bag.

Anyone who knows the whereabouts of the missing man or may have seen him is urged to contact the Regional Missing Person Unit of New Territories South on 3661 1173 or 6099 3830 or email to rmpu-nts-2@police.gov.hk, or contact any police station.



FEHD continues to combat illegal sale of hairy crabs and sale of hairy crabs from dubious sources (with photo)

To safeguard food safety, the Food and Environmental Hygiene Department (FEHD) has launched a series of blitz operations in the preceding week to inspect selling points of hairy crabs in various districts and combat the illegal sale of hairy crabs, with a view to ensuring that hairy crabs on sale in the market comply with regulations under relevant laws.

A spokesman for the FEHD said today (November 17), "Up till yesterday (November 16), officers from the Centre for Food Safety (CFS) and the Environmental Hygiene Branch of the FEHD have inspected over 110 premises selling hairy crabs, including retail outlets, food premises and public market stalls. The source documents and health certificates of the hairy crabs were checked to ensure that the hairy crabs sold at the premises are in compliance with the Public Health and Municipal Services Ordinance and are fit for human consumption. The FEHD also distributed promotional leaflets to the operators of the premises, reminding them to pay attention to food safety and comply with regulations under relevant laws."

"During the operation, apart from the premises suspected of breaching licensing conditions announced earlier, the FEHD further found one distributor selling the restricted food, hairy crab, without permission. The distributor is suspected of violating the Food Business Regulation (Cap. 132X) (the Regulation) and investigation is ongoing. In addition, the CFS also collected hairy crab samples from all-you-can-eat restaurants supplying hairy crabs for chemical testing including metallic contaminants, veterinary drugs and colouring matters. Testing results are still pending."

Under the Regulation, save for the written permission of the Director of Food and Environmental Hygiene (DFEH), no person shall sell any restricted foods, including shell fish. Operators selling hairy crabs (including physical premises and online sale) shall obtain the Shell Fish (Hairy Crab) Permit or relevant written permission granted by the FEHD. Furthermore, the relevant regulatory condition also stipulates that hairy crabs for sale shall be obtained from a reliable and reputable source. A copy of the health certificate issued by the relevant authority and acceptable to the DFEH shall also be kept. Under the Regulation, any person who operates an unlicensed food business or sells restricted foods without permission commits an offence and is liable to a maximum fine of \$50,000 and imprisonment for six months upon conviction.

In addition, according to the Public Health and Municipal Services Ordinance (Cap. 132), all food available for sale in Hong Kong, locally produced or imported, should be fit for human consumption. An offender is subject to a maximum fine of \$50,000 and imprisonment for six months upon conviction. Under the Food Safety Ordinance (Cap. 612), any person who,

without reasonable excuse, fails to comply with the record-keeping requirement relating to movement of food commits an offence and is liable to a maximum fine of \$10,000 and imprisonment for three months upon conviction.

The spokesman reminded the trade not to import or put on sale hairy crabs with an unknown origin, and consumers should make purchases at reputable shops with the Shell Fish (Hairy Crab) Permit or relevant written permission granted by the FEHD.

If members of the public suspect that there are operators selling hairy crabs without the relevant permits/permissions or the hairy crabs are not accompanied with health certificates, they may make a report by calling the FEHD hotline at 2868 0000 or through email (enquiries@fehd.gov.hk).

