

Legal Practitioners (Amendment) Bill 2023 to be introduced into LegCo

The Government will introduce the Legal Practitioners (Amendment) Bill 2023 (Bill) into the Legislative Council (LegCo) to handle matters concerning the participation of overseas lawyers who are not qualified to practise generally in the Hong Kong Special Administrative Region (HKSAR) in cases concerning national security (NS Cases) in an appropriate manner, so as to effectively address the potential national security risks associated with the participation of such lawyers in such cases, in line with the spirit of the interpretation by the Standing Committee of the National People's Congress of Article 14 and Article 47 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (HK National Security Law) on December 30, 2022 (Interpretation).

Pursuant to Article 2 of the Interpretation, in accordance with the provisions of Article 47 of the HK National Security Law, the courts of the HKSAR shall request and obtain a certificate from the Chief Executive (CE) to certify whether an act involves national security or whether the relevant evidence involves State secrets when such questions arise in the adjudication of a case concerning an offence endangering national security. The certificate shall be binding on the courts.

According to Article 3 of the Interpretation, the question whether overseas lawyers not qualified to practise generally in the HKSAR may serve as defence counsel or legal representatives in cases concerning an offence endangering national security is a question that requires certification under Article 47 of the HK National Security Law, and a certificate from the CE shall be obtained.

A spokesman for the Department of Justice said today (March 21) that the Bill seeks to amend the existing mechanism for admission of overseas lawyers in Hong Kong on a case-by-case basis (ad hoc admission) by introducing new provisions for the handling of ad hoc admission for the purpose of NS Cases. It will not affect ad hoc admission of overseas lawyers in criminal and civil cases not involving national security.

In gist, the Bill will provide:

- (a) an overriding principle that an overseas lawyer must not be admitted for an NS Case, unless the CE has sufficient grounds for believing that the lawyer's practising or acting as a barrister for the NS Case does not involve national security, or would not be contrary to the interests of national security (exceptional circumstance);
- (b) a mechanism for the CE to determine if an application may proceed and if it falls within the exceptional circumstance; and
- (c) a mechanism to enable the CE to review the matter when there is a change

of circumstances after an ad hoc admission is granted.

The Bill will not affect ad hoc admission applications made or handled by the Court prior to the enactment of the Bill.

The LegCo Panel on Administration of Justice and Legal Services was consulted on March 17. The Panel expressed support for the legislative proposal.

The Bill was gazetted today, and will be introduced into the LegCo on March 22.

Police National Security Department arrests a man

The National Security Department of the Hong Kong Police Force today (March 21) arrested a 71-year-old man on Hong Kong Island for perverting the course of public justice.

The arrested person is being detained for enquiries.

Four persons sentenced for violating Prevention and Control of Disease Regulation

Four persons were sentenced by the Magistrates' Courts today (March 21) for violating the Prevention and Control of Disease Regulation (Cap. 599A).

The four cases involved a 54-year-old woman and three men aged 38, 58 and 72. They were earlier issued with compulsory quarantine orders. Before the expiry of the quarantine orders, they left the place of quarantine on August 4, 9, 26 and November 7 last year respectively. The 54-year-old woman and the 38-year-old man were charged with contravening sections 32(1) and (3) of the Regulation and were respectively fined \$10,000 by the Kwun Tong Magistrates' Courts and \$5,000 by the Tuen Mun Magistrates' Courts today. The 58-year-old man and the 72-year-old man were charged with contravening sections 22(1), (4) and (6) and sections 32(1) and (3) of the Regulation respectively and were each sentenced to imprisonment for two weeks, suspended for 12 months by the Eastern Magistrates' Courts today.

Hong Kong's Balance of Payments and International Investment Position statistics for fourth quarter of 2022 and whole year of 2022

The Census and Statistics Department (C&SD) released today (March 21) the preliminary Balance of Payments (BoP) and International Investment Position (IIP) statistics of Hong Kong for the fourth quarter of 2022 and the whole year of 2022. This release also included the preliminary External Debt (ED) statistics of Hong Kong for the same period.

I. Balance of Payments

Hong Kong recorded a BoP deficit of \$16.5 billion (2.2% of Gross Domestic Product (GDP)) in the fourth quarter of 2022. Reserve assets correspondingly decreased by the same amount. This compared with a BoP deficit of \$138.4 billion (19.1% of GDP) in the third quarter of 2022.

For 2022 as a whole, there was a BoP deficit of \$367.2 billion (13.0% of GDP), compared with a deficit of \$9.1 billion (0.3% of GDP) in 2021.

Current account

The current account recorded a surplus of \$63.8 billion (8.6% of GDP) in the fourth quarter of 2022. This implies that Hong Kong's savings was greater than its investment, enabling Hong Kong to accumulate external financial assets (such as equity securities or debt securities) as a buffer against global financial volatilities. Compared with the current account surplus of \$91.9 billion (12.2% of GDP) in the fourth quarter of 2021, the decrease in surplus was due to the decrease in goods surplus, partly offset by the increases in net inflow of primary income and services surplus.

The goods surplus decreased to \$0.9 billion in the fourth quarter of 2022, compared with \$42.6 billion in the same quarter of 2021. Over the same period, the services surplus increased from \$28.4 billion to \$31.3 billion. The primary income inflow and outflow amounted to \$415.1 billion and \$379.7 billion respectively, thus yielding a net inflow of \$35.4 billion in the fourth quarter of 2022, compared with a net inflow of \$25.2 billion in the same quarter of 2021.

For 2022 as a whole, the current account surplus was \$302.3 billion (10.7% of GDP), smaller than that of \$339.4 billion (11.8% of GDP) in 2021, due to the decrease in goods balance, partly offset by the increase in services surplus and the decrease in net outflow of secondary income.

Financial account

An overall net outflow of financial non-reserve assets amounting to \$49.5 billion (6.7% of GDP) was recorded in the fourth quarter of 2022, compared with an overall net outflow of \$286.2 billion (39.5% of GDP) in the third quarter of 2022. The overall net outflow recorded in the fourth quarter of 2022 was due to net outflows of portfolio investment and other investment, partly offset by net inflows of direct investment and cash settlement of financial derivatives.

In the fourth quarter of 2022, reserve assets decreased by \$16.5 billion, compared with a decrease of \$138.4 billion in the third quarter of 2022.

For 2022 as a whole, financial non-reserve assets recorded an overall net outflow of \$658.3 billion (23.3% of GDP), compared with an overall net outflow of \$372.4 billion (13.0% of GDP) in 2021. The overall net outflow recorded in 2022 was due to net outflows of other investment and portfolio investment, partly offset by net inflows of cash settlement of financial derivatives and direct investment.

In 2022, reserve assets decreased by \$367.2 billion, compared with a decrease of \$9.1 billion in 2021.

II. International Investment Position

At the end of the fourth quarter of 2022, both Hong Kong's external financial assets and liabilities stood at a very high level, amounting to \$47,437.8 billion (16.8 times of GDP) and \$33,685.8 billion (11.9 times of GDP) respectively, a typical feature of a prominent international financial centre.

Hong Kong's net external financial assets (i.e. assets minus liabilities) amounted to \$13,752.0 billion (4.9 times of GDP) at the end of the fourth quarter of 2022, compared with \$12,967.0 billion (4.6 times of GDP) at the end of the third quarter of 2022. Hong Kong's net external financial assets to GDP ratio is one of the largest in the world, which provides the economy with a strong cushion against sudden external shocks.

III. External Debt

At the end of the fourth quarter of 2022, Hong Kong's gross ED amounted to \$14,196.4 billion (5.0 times of GDP). Compared with \$14,310.4 billion (also 5.0 times of GDP) at the end of the third quarter of 2022, gross ED decreased by \$114.0 billion. This was mainly attributable to the decreases in ED of the banking sector and ED of other sectors, partly offset by the increase in debt liabilities in direct investment (intercompany lending).

As one of the world's major financial centres, Hong Kong has a significant amount of ED held against the local banking sector arising through normal banking businesses. At the end of the fourth quarter of 2022, 57.5% of Hong Kong's ED was attributable to the banking sector. Other ED mainly consisted of ED of other sectors (25.4%) and debt liabilities in

direct investment (intercompany lending) (16.6%).

Further information

BoP is a statistical statement that systematically summarises, for a specific time period (typically a year or a quarter), the economic transactions of an economy with the rest of the world (i.e. between residents and non-residents).

IIP is a balance sheet showing the stock of external financial assets and liabilities of an economy at a particular time point. The difference between the external financial assets and liabilities is the net IIP of the economy, which represents either its net claim on or net liability to the rest of the world.

Gross ED, at a particular time point, is the outstanding amount of those actual current, and not contingent, liabilities that are owed to non-residents by residents of an economy and that require payment of principals and/or interests by the debtors at some time points in the future.

Table 1 presents Hong Kong's BoP. Table 2 presents the detailed current account, while Table 3 presents the detailed capital and financial account. Table 4 shows Hong Kong's IIP, and Table 5 shows Hong Kong's ED.

Statistics on BoP, IIP and ED for the fourth quarter of 2022 and the whole year of 2022 are preliminary figures, which are subject to revision upon the availability of more data. With the incorporation of the latest data from surveys and other sources, secondary income statistics for the first half of 2022, capital account statistics from 2020 onwards, and other investment statistics for the third quarter of 2022 have been revised.

More details of the statistics of BoP (including seasonally adjusted current account), IIP and ED, together with the conceptual and methodological details, are presented in the publication Balance of Payments, International Investment Position and External Debt Statistics of Hong Kong, Fourth Quarter 2022 published by the C&SD. Users can download the publication at the website of the C&SD

(www.censtatd.gov.hk/en/EIndexbySubject.html?pcode=B1040001&scode=260).

For enquiries about the BoP, IIP and ED statistics, please contact the Balance of Payments Section of the C&SD (Tel: 3903 6979; fax: 2116 0278; email: bop@censtatd.gov.hk).

[Update on cluster of Vancomycin](#)

Resistant Enterococci cases in Pamela Youde Nethersole Eastern Hospital

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on Vancomycin Resistant Enterococci (VRE) carrier cases, the spokesperson for Pamela Youde Nethersole Eastern Hospital (PYNEH) gave the following update today (March 21):

Following a contact tracing investigation, two more male patients (aged 75 and 88) in a medical ward of PYNEH were identified as carriers of VRE. The patients are now being treated in isolation and are in stable condition.

The ward concerned has adopted the following enhanced infection control measures:

1. Enhanced hand hygiene and stringent contact precautions;
2. Enhanced attention to contamination-prone procedures; and
3. Enhanced disinfection and cleaning of the ward concerned.

The hospital will continue the enhanced infection control measures and closely monitor the situation of the ward concerned. The cases have been reported to the Hospital Authority Head Office and the Centre for Health Protection of the Department of Health for necessary follow-up.