

All airmail postal services to Thailand suspended

Hongkong Post today (April 28) announced that the postal administration of Thailand has advised that its mail processing centre will be temporarily closed until May 4 due to the epidemic. All airmail postal services (including Speedpost) to Thailand are suspended with immediate effect and will resume from May 5.

Members of the public may visit the Hongkong Post website at www.hongkongpost.hk/en/about_us/whats_new/notices/index_id_1052.html and refer to the types of services currently available to overseas destinations.

Speech by SJ at webinar “Hong Kong – Seizing Opportunities and Navigating Risk” (English only)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the webinar "Hong Kong – Seizing Opportunities and Navigating Risk" held by the Department of Justice and Invest Hong Kong today (April 28):

Ladies and gentlemen,

Good evening. It is my great pleasure to welcome you all to tonight's webinar.

In recent years, Sino-Latin American trade has reached unprecedented levels, facilitating closer co-operation and partnership in many areas including commerce, investment, and infrastructure and construction. In 2018, the total value of Sino-Latin American trade reached US\$307.4 billion, making China the region's second largest trading partner, and for some countries in the region, China is now their top trading partner. For China, Latin America has consistently been one of its top foreign investment destinations. I have no doubt that Sino-Latin American ties will be further strengthened as trade continues to thrive, especially under the full-fledged implementation of the Guangdong-Hong Kong-Macao Greater Bay Area Development Plan and the Belt and Road Initiative.

Hong Kong SAR is an international city and gateway to the Mainland China. Hong Kong has been an important entrepot for Sino-Latin American trade, for instance, in 2019, about 10 per cent of the total trade between

Mexico and the Mainland China was routed through Hong Kong.

Hong Kong's fair and open market environment with a well-established financial infrastructure for capital raising has attracted many overseas companies to use Hong Kong as a regional base. Hong Kong's robust common law system, underpinned by a solid foundation for the rule of law provides a business-friendly and predictable legal framework for the international business community. Furthermore, as enshrined in our Basic Law, Hong Kong courts exercise judicial power independently, free from interference, and the power of final adjudication rests with our Court of Final Appeal. We also have a pool of international and experienced professional talents which offer a range of professional services and in particular world-class legal and dispute resolution services. These important attributes as a whole create a unique ecosystem which makes Hong Kong an ideal deal-making hub for Latin American enterprises looking to do business in the region.

When engaging in cross-border transactions, disputes may arise. As national courts may not be the best forum for such matters by reasons of domestic rules of practice unknown to foreign parties, limitation on rights of audience before courts, and lack of a multilateral mechanism for enforcing court judgments. Arbitration is often the preferred alternative.

Hong Kong is one of the world's leading international arbitration centres and has consistently been ranked as one of the top five preferred seats for arbitration globally since 2015. Hong Kong adopts the latest UNCITRAL Model Law as our arbitration laws, which ensures that our regime meets international standards. Parties are free to appoint arbitrators of their own choice, allowing total party autonomy with no restriction on nationality. Parties are also free to use lawyers from their own jurisdictions to represent them. Awards are generally upheld by local courts and enforced in other jurisdictions, including the Mainland China, ensuring finality and enforceability of Hong Kong awards. Hong Kong laws have also made clear that intellectual property disputes may be resolved by arbitration and that third party funding in arbitration is permissible. It is noteworthy that arbitrations in Hong Kong are independent from the court system and the Government does not interfere with the operation of arbitration institutions in administering their arbitrations.

In addition, I must mention a game-changing arrangement between the Mainland China and Hong Kong in 2019 under the principle of "one country, two systems". The arrangement allows parties to arbitral proceedings, which are seated in Hong Kong and administered by designated arbitral institutions, to seek assistance from the relevant court in the Mainland to obtain interim measures such as injunctions or freezing of assets. Hong Kong is the first and only jurisdiction outside the Mainland that can provide this service.

Apart from arbitration, Latin American enterprises may resort to mediation in resolving cross-border disputes so as to preserve the long-term relationship between the disputing parties and explore creative and forward-looking settlement solutions. Investment mediation is an area that Hong Kong is actively developing. In particular, the Investment Agreement between the

Mainland and Hong Kong provides a comprehensive and flexible framework for mediation in the event of disputes involving, say, a Hong Kong investor investing in the Mainland. In other words, Latin-American enterprises can use Hong Kong as a base for its special-purpose vehicle for investing in the Mainland and enjoy investment protection and the use of an amicable dispute settlement procedure to resolve differences.

Furthermore, Hong Kong, as the regional hub in Asia, offers its flagship Investment Law and Investor-State Mediator Training Courses together with leading institutions such as ICSID of the World Bank. Our aim is to work towards developing Hong Kong into an international investment law and investment dispute resolution skills training base with a view to building up a team of investment mediators in Asia.

Lastly, I should also mention our efforts in harnessing the latest technologies to enhance the dispute resolution process through developing and promoting online dispute resolution (ODR) as an affordable and efficient mechanism to resolve cross-border disputes online. We have opted into the APEC Collaborative Framework on ODR of Cross-Border Business to Business Disputes and supported the development of an ODR and deal-making platform by eBRAM Centre in Hong Kong.

Finally, may I thank Invest Hong Kong and our supporting organisations for organising this webinar. Thank you.

LCQ18: Indecency offences

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 (April 28):

Question:

It has been reported that earlier on, two video clips of an indecent nature were published on the Internet, which respectively showed two naked men engaging in sexual intercourse in an MTR train compartment, and another naked man masturbating in a train compartment. The persons captured in the clips and the publishers of the clips may have committed the offences under section 148 (Indecency in public) of the Crimes Ordinance (Cap. 200), and section 21 (Prohibition on publishing obscene articles) of the Control of Obscene and Indecent Articles Ordinance (Cap. 390), as well as the offence of "outraging public decency" under common law (collectively referred to as indecency offences below). Regarding indecency offences, will the Government inform this Council:

(1) of the respective numbers of persons who were (a) prosecuted for and

(b) convicted of the offences (i) of outraging public decency, (ii) under section 148 of Cap. 200, and (iii) under section 21 of Cap. 390, in each of the past five years; the lowest and highest penalties imposed on the convicted persons;

(2) among the cases referred to in (1), of the number of those that occurred in MTR train compartments and on train platforms;

(3) of the measures put in place in the past five years by the MTR Corporation Limited to prevent the occurrence of indecency offences within the precincts of MTR stations; and

(4) of the new measures for combating indecency offences to be put in place by the Police in the coming three years, and whether such measures will include increasing the manpower for patrolling the black spots for such offences and stepping up publicity efforts; if so, of the details?

Reply:

President,

Having consulted the Transport and Housing Bureau and the Police, our reply to the various parts of the question raised by the Member is as follows:

(1) and (2) The offence of "outraging public decency" under the common law is punishable with imprisonment of up to seven years in accordance with section 101I of the Criminal Procedure Ordinance (Cap. 221). Section 148 of the Crimes Ordinance (Cap. 200) stipulates that a person who, without lawful authority or excuse, in any public place or in view of the public indecently exposes any part of his body shall be guilty of an offence and shall be liable on conviction to a fine of \$1,000 and to imprisonment for six months. According to section 21 of the Control of Obscene and Indecent Articles Ordinance (Cap. 390), any person who publishes any obscene article in Hong Kong commits an offence and is liable on conviction to a maximum penalty of a fine of \$1 million and imprisonment for three years.

The numbers of prosecution, conviction and sentencing of the above offences in the past five years are at Annex. The Government does not maintain the breakdown of other figures requested in the question.

(3) and (4) The MTR Corporation Limited (MTRCL) and the Police have been working closely and sharing information about the latest crime trends to prevent crimes. Among the collaborations, the MTRCL and the Railway Police District have been launching various publicity initiatives to remind passengers to be vigilant about clandestine photography, such as the putting up of posters at prominent locations in MTR stations and the broadcasting of crime prevention messages on electronic display boards. Victims and witnesses are also encouraged to come forward to report. MTRCL also arranges station staff to conduct patrols within the precincts of MTR stations from time to time, and deploys additional staff during rush hours to cope with unexpected

situations.

Moreover, the MTRCL has been enhancing its staff training with the Police to provide crime prevention training for its frontline staff. The training serves to improve their understanding of indecency offences and sexual offences, as well as skills in handling related matters. This in turn helps the Police combat crimes and the MTRCL offer more appropriate assistance to passengers. Over the years, the MTRCL have been reviewing the situation of different station facilities and taking corresponding measures to address passengers' concerns, such as by putting opaque stickers on the glass panels of lifts and escalators.

The MTRCL will timely review the effectiveness of relevant measures and continue to monitor the situation of station facilities. It will make every effort to prevent crimes, including indecency offences, within the precincts of MTR and provide safe rides for passengers.

The Police will continue to deploy manpower flexibly to step up high profile anti-crime patrols at such black spots of sex crimes, such as MTR stations, during rush hours to combat crimes. It will also enhance publicity and educational efforts through its on-line platforms to raise public awareness. For instance, at the end of last year, Police worked with various organisations to hold a region-wide promotional and educational campaign called "Child Protection Week" to exchange views with teachers, parents, social workers and students through online talks, sharing sessions and social media platforms, so as to promote disseminate sex crime prevention message.

CHP investigates outbreak of upper respiratory tract infection at kindergarten-cum-child care centre

The Centre for Health Protection (CHP) of the Department of Health is today (April 28) investigating an outbreak of upper respiratory tract infection (URTI) at a kindergarten-cum-child care centre in Lam Tin, and appealed to members of the public and staff of institutions to stay alert and maintain strict personal and environmental hygiene.

The outbreak involves eight male children and 15 female children aged 2 to 6 who developed cough, runny nose and fever since April 17. Twenty-one of them sought medical attention and none required hospitalisation. All of them are now in a stable condition.

Officers of the CHP have advised the school to adopt necessary infection control measures against respiratory infections. The school has been put

under medical surveillance. In addition, since the symptoms of URTI are similar to those of COVID-19, for prudence's sake, the school is covered in the compulsory testing notice (CTN) on April 21 to exclude the possibility of COVID-19 infection. The school was required to suspend teaching activities for cleaning and executing the CTN.

The public should maintain good personal and environmental hygiene against influenza and other respiratory illnesses:

- Receive a seasonal influenza vaccination for personal protection;
- Surgical masks can prevent transmission of respiratory viruses from ill persons. It is essential for persons who are symptomatic (even if having mild symptoms) to wear a surgical mask;
- Wear a surgical mask when taking public transport or staying in crowded places. It is important to wear a mask properly, including performing hand hygiene before wearing and after removing a mask;
- Avoid touching one's eyes, mouth and nose;
- Wash hands with liquid soap and water properly whenever possibly contaminated;
- When hands are not visibly soiled, clean them with 70 to 80 per cent alcohol-based handrub;
- Cover the nose and mouth with tissue paper when sneezing or coughing. Dispose of soiled tissue paper properly into a lidded rubbish bin, and wash hands thoroughly afterwards;
- Maintain good indoor ventilation;
- When having respiratory symptoms, wear a surgical mask, refrain from work or attending class at school, avoid going to crowded places and seek medical advice promptly; and
- Maintain a balanced diet, exercise regularly, take adequate rest, do not smoke and avoid overstress.

Members of the public, particularly children, the elderly and those with chronic diseases, should wear a face mask and consult a doctor promptly if they develop symptoms of respiratory tract infection.

[Transcript of remarks by FS at media session after passage of Appropriation Bill 2021 \(with video\)](#)

Following is the transcript of remarks by the Financial Secretary, Mr Paul Chan, at a media session after the passage of the Appropriation Bill 2021 today (April 28):

Reporter: Secretary, could you talk about the GDP figure that would be announced next week, because that should be quite impressive? Do you think that is the sign of a real recovery or it's just because of a low base comparison? And do you think the unemployment rate will go lower after that?

Financial Secretary: The advance estimates of the first-quarter GDP will be published next week. We expect this to be a pretty strong growth because of the fact that, number one, the comparison base last year is very low. We registered a contraction of 9 per cent in the first quarter last year. And also, since the middle of last year, although on a year-on-year basis the GDP continued to contract, but on quarter-to-quarter GDP comparison we have seen gradual improvement since the third quarter. Given the pandemic situation now in Hong Kong is pretty much under control, although we still need to be very vigilant, and considering the fact that the external economic environment is also recovering very strongly, no matter it is the Mainland, the US and other Asian countries, we are confident that with the impressive improvement on the trade side and the gradual recovery on domestic consumption, the GDP for the first quarter of this year will give us a relatively strong positive growth.

On unemployment rate, it has come down a bit when compared to the figures released last month – it came down from about 7.2 per cent to 6.8 per cent – but we have to remain cautious. The pandemic situation in Hong Kong is a very important factor. We need to keep this under control and need to be vigilant. On the other hand, it also very much depends upon the resumption of travelling between Hong Kong and the Mainland, and Hong Kong and the rest of the world, because at the end of the day Hong Kong is a very small open economy, domestic consumption alone would not be able to sustain us for strong growth – we need to continue with external trade, we need to have quality tourism to come back. This takes time. Also, in summer there will be graduates from universities. They also need to seek jobs. So we expect the unemployment situation to stabilise, but there may not be marked improvement in the short term.

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