

Hong Kong e-News Bulletin

July 3, 2020



SPECIAL NOTICE

In response to the local government's appeal for concerted efforts to contain the spread of COVID-19, the Hong Kong Economic and Trade Office (Toronto) (HKETO) has been closed temporarily until further notice. Users may continue to reach us via the following channels:

Toronto

Phone: (416) 924-5544 or

Email: info@hketotoronto.gov.hk

Vancouver

Phone: (604) 331-1300 or

Email: info_vancouver@hketotoronto.gov.hk

For urgent assistance outside office hours, Hong Kong residents in Canada may call the 24-hour hotline of the Assistance to Hong Kong Residents Unit of the Immigration Department in Hong Kong at +852 1868. In the event that Hong Kong residents who need assistance are not able to call the hotline due to the service settings of their telecommunication services operators or other reasons, they may try adding "0000" after entering "1868". Hong Kong residents in Canada in need of consular assistance may contact the Chinese Embassy or Consulate Offices in your province (<http://ca.china-embassy.org/eng/zlqj/>).

HONG KONG NEWS

The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region gazetted and takes immediate effect

The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) was gazetted for promulgation on June 30 and took effect at 11pm the same day.

The Standing Committee of the National People's Congress (NPCSC) on June 30 passed the National Security Law and listed the legislation in Annex III to the Basic Law after consulting the NPCSC's Committee for the Basic Law of the Hong Kong Special Administrative Region (HKSAR) and the HKSAR Government as required under Article 18 of the Basic Law. The National Security Law was enacted according to the Constitution of the People's Republic of China, the Basic Law and the "Decision of the National People's Congress on Establishing and Improving the Legal System and Enforcement Mechanisms for Safeguarding National Security in the Hong Kong Special Administrative

Region” (the Decision). The National Security Law would be applied by promulgation in the HKSAR in accordance with the Decision. The Chief Executive of the HKSAR, Mrs Carrie Lam, signed the promulgation and the National Security Law took effect upon gazettal on June 30.

With 66 articles, the National Security Law has six chapters, namely the general principles; the duties and the Government Bodies of the HKSAR for safeguarding national security; offences and penalties; jurisdiction, applicable law and procedure; Office for Safeguarding National Security of the Central People's Government (CPG) in the HKSAR; and supplementary provisions. As stated in the summary of the explanatory statement of the draft law submitted to a session of the NPCSC released earlier, the provisions of the National Security Law fully reflect the following principles:

- (1) the CPG has an overarching responsibility for national security affairs relating to the HKSAR, while the HKSAR bears the constitutional duty of safeguarding national security;
- (2) in safeguarding national security, the HKSAR shall uphold the principle of the rule of law;
- (3) the HKSAR shall establish and improve relevant institutions and their duties in safeguarding national security;
- (4) stipulations are made on what constitutes four categories of crimes that endanger national security and their corresponding penalties;
- (5) stipulations are made in relation to jurisdiction of cases, application of laws and procedures; and
- (6) the CPG shall establish an office for safeguarding national security in the HKSAR.

The purposes of the National Security Law are to prevent, curb and punish crimes, namely acts of secession, subversion of state power, terrorist activities, and collusion with foreign or external forces to endanger national security; maintain prosperity and stability of the HKSAR; and protect the lawful rights and interests of HKSAR residents.

In discharging its duty in safeguarding national security, the HKSAR shall:

- fully enforce the National Security Law and the laws in force in the HKSAR concerning the prevention of, suppression of, and imposition of punishments for acts and activities endangering national security;
- strengthen its work on safeguarding national security and prevention of terrorist activities;
- take necessary measures to strengthen public communication, guidance, supervision and regulation over matters concerning national security, including those relating to schools, social organisations, the media and the internet; and

- complete as early as possible legislation for safeguarding national security as stipulated in the Basic Law and shall refine relevant laws.

The Chief Executive shall submit an annual report to the CPG on the performance of duties of the HKSAR in safeguarding national security.

The National Security Law clearly stipulates that the principle of the rule of law shall be adhered to, including that conviction and sentencing of crimes should be well defined in the law, presumption of innocence, no one shall be liable to be tried again for an offence for which he or she has already been convicted or acquitted in judicial proceedings, and protection of the rights of the suspect, etc. It has no retrospective effect and the stipulated offences are only applicable to acts after the commencement of the law.

In addition, the National Security Law clearly stipulates that the HKSAR shall protect Hong Kong people's rights and freedoms under the Basic Law as well as 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, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration.

It is stipulated in the National Security Law that a Committee for Safeguarding National Security of the HKSAR chaired by the Chief Executive will be established to take up national security affairs and bear the major responsibility for safeguarding national security. It will be under the supervision of and be accountable to the CPG. Members of the Committee include: the Chief Secretary for Administration, Financial Secretary, Secretary for Justice, Secretary for Security, Commissioner of Police, the head of the department for safeguarding national security of the Hong Kong Police Force established under Article 16 of the National Security Law, Director of Immigration, Commissioner of Customs and Excise, and the Director of the Chief Executive's Office. The Secretariat under the Committee is to be headed by the Secretary General, who shall be appointed by the CPG upon nomination by the Chief Executive.

The duties of the Committee for Safeguarding National Security of the HKSAR are to analyse and assess developments in relation to safeguarding national security in HKSAR, make work plans and formulate policies, advance the development of the legal system and enforcement mechanisms, and co-ordinate major work and significant operations. The Committee shall be free from any interference in performing its duties and information relating to its work shall not be disclosed to the public. Decisions made by the Committee shall not be amenable to judicial review.

The Committee for Safeguarding National Security of the HKSAR shall have a National

Security Advisor, who shall be designated by the CPG. The National Security Adviser shall sit in on meetings of the Committee and provide advice on relevant matters.

As the principal enforcement authorities of the National Security Law, the Hong Kong Police Force and the Department of Justice of the HKSAR Government will set up dedicated divisions to handle national security affairs. The Financial Secretary shall, upon approval of the Chief Executive, appropriate from the general revenue a special fund to meet the expenditure for safeguarding national security and approve the establishment of relevant posts, which are not subject to any restrictions in the relevant provisions of existing laws. The Financial Secretary shall submit an annual report on the control and management of the fund for this purpose to the Legislative Council.

Except under circumstances specified, the HKSAR shall have jurisdiction over cases under the National Security Law. The National Security Law and the laws of the HKSAR shall apply to procedural matters, including those related to criminal investigation, prosecution, trial and execution of penalty.

In handling national security cases, the department responsible for safeguarding national security under the Hong Kong Police Force may take measures that it is allowed to take in investigating serious crimes under the laws in force in the HKSAR or other stipulated measures under the National Security Law, including to carry out interception of communication and covert surveillance upon approval of the Chief Executive on a person who is suspected, on reasonable grounds, of having involved in the commission of an offence endangering national security, search of premises, requiring relevant organisations or individuals to answer questions and provide or delete information, etc. Under the National Security Law, the Committee for Safeguarding National Security of the HKSAR shall be authorised to make relevant implementation rules for the purpose of applying the above measures.

A dedicated department under the Department of Justice is responsible for the prosecution of national security offences. Without the written consent of the Secretary for Justice, prosecution of a national security case shall not be instituted. The Secretary for Justice may, for such reasons as protecting national secrets, issue certification to direct that the relevant case shall be tried without a jury. Where a case is to be tried in the Court of First Instance without a jury, a Court consisting of three judges should be constituted.

Judges designated from courts at all levels are responsible for hearing cases involving offences endangering national security. Unless national secrets are involved, the trial shall be held in open court and all judgements be announced to the public. The “designated judges” are to be designated from judges of courts at all levels by the Chief

Executive after consultation with the Committee for Safeguarding National Security of the HKSAR and the Chief Justice.

Specified circumstances refer to any one of the following three kinds of situations that has been reported by the HKSAR Government or the Office for Safeguarding National Security of the CPG in the HKSAR to the CPG for approval:

- (1) the case is complex due to the involvement of a foreign country or external elements, thus making it difficult for the HKSAR to exercise jurisdiction over the case;
- (2) a serious situation occurs where the HKSAR Government is unable to effectively enforce the National Security Law; or
- (3) a major and imminent threat to national security has occurred.

In the above situations, the Office for Safeguarding National Security of the CPG in the HKSAR shall exercise jurisdiction over cases under the National Security Law.

Apart from handling cases concerning offence endangering national security in accordance with the law in extremely limited situations, the Office for Safeguarding National Security of the CPG in the HKSAR shall be responsible for overseeing, guiding, coordinating with and providing support to the HKSAR in the performance of its duties for safeguarding national security, including analyzing and assessing developments and sharing of intelligence. The National Security Law clearly stipulates that the staff of the Office shall abide by national laws as well as the laws of the HKSAR, and shall be subject to the supervision of the national supervisory authorities. The Office shall be funded by the CPG.

A HKSAR Government spokesman said that the purpose of the legislation is to effectively prevent, curb and punish crimes, namely acts of secession, subversion of state power, terrorist activities, and collusion with foreign or external forces to endanger national security. It only targets an extremely small minority of offenders while the life and property as well as various legitimate basic rights and freedoms enjoyed by the overwhelming majority of citizens will be protected. There is nothing for Hong Kong citizens to worry about in exercising these legitimate rights.

In order for the HKSAR Government to effectively discharge its duty in safeguarding national security, the Police and the Department of Justice have earlier made preparations for the establishment of dedicated units. As the National Security Law has come into effect, the Police will establish a dedicated National Security Department on July 1 to handle the relevant work.

Hong Kong e-News Bulletin

July 3, 2020



The Committee for Safeguarding National Security of the HKSAR chaired by the Chief Executive will be set up as soon as possible to take up the major responsibility of safeguarding national security.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/30/P2020063001015.htm>

The Chief Executive, Mrs Lam, welcomed the passage of the National Security Law in the HKSAR by NPCSC. Please refer to the link below for her statement:

<https://www.info.gov.hk/gia/general/202006/30/P2020063000767.htm>

The Secretary for Justice, Ms Teresa Cheng, SC, also welcomed the passage of the National Security Law and issued a statement. Please refer to the link below for her statement:

<https://www.info.gov.hk/gia/general/202006/30/P2020063000805.htm>

The Secretary for Security, Mr John Lee, together with the heads of six disciplined services departments, namely the Commissioner of Police, Mr Tang Ping-keung; the Commissioner of Customs and Excise, Mr Hermes Tang; the Commissioner of Correctional Services, Mr Woo Ying-ming; the Director of Fire Services, Mr Joseph Leung; the Director of Immigration, Mr Au Ka-wang; and the Controller of the Government Flying Service, Captain Wu Wai-hung, pledged full support for the effective implementation of the National Security Law in Hong Kong.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/30/P2020063000712.htm>

The Chief Executive, Mrs Lam, spoke at the United Nations Human Rights Council meeting on June 30. She reiterated that national security is invariably under the purview of the central authorities, be it in China or any other countries. Hong Kong is an inalienable part of China – a special administrative region (SAR) enjoying a high degree of autonomy which comes directly under the Central Government. As an exceptional arrangement under the policy of “One Country, Two Systems”, the Basic Law governing the two SARs of Hong Kong and Macao obliges the SAR to enact local legislation on its own to safeguard national security.

Mrs Lam urges the international community to respect the country’s right to safeguard national security and Hong Kong people’s aspirations for stability and harmony.

Please visit the link below for the full text of the video message by Mrs Lam at the meeting:

<https://www.info.gov.hk/gia/general/202006/30/P2020063000655.htm>

HKSARG strongly opposes to passage of the Hong Kong Autonomy Act by US Senate

The HKSAR Government on June 26 expressed strong opposition to the passage of the “Hong Kong Autonomy Act” (“The Act”) by the Senate of the United States (US) Congress. A government spokesman urged the US Congress to immediately stop interfering in HKSAR’s internal matters. He reiterated that the Act and the so-called “sanctions” are totally unacceptable and will only harm the relations and common interests between Hong Kong and the US.

The government spokesman noted that since the return to the Motherland, the HKSAR has been exercising “Hong Kong people administering Hong Kong” and a high degree of autonomy in strict accordance with the Basic Law. The “one country, two systems” principle has also been fully and successfully implemented. The HKSAR Government will continue to implement the “one country, two systems” principle resolutely in accordance with the Basic Law.

Regarding prosecution of persons engaged in illegal protests, the government spokesman stressed that Hong Kong has a well-established and fair criminal judicial system. Article 63 of the Basic Law provides that the “Department of Justice of the HKSAR shall control criminal prosecutions, free from any interference”. The prosecutors have always been discharging this constitutional duty independently and professionally, without fear or favour. Cases will not be handled any differently owing to the political beliefs, demands or backgrounds of the persons involved.

In addition, the people of Hong Kong enjoy extensive rights and freedoms which are enshrined in the Basic Law. Human rights and freedoms in Hong Kong are also fully protected by the Hong Kong Bill of Rights Ordinance and other legislation, and underpinned by an independent judiciary.

The spokesman reiterated that foreign legislatures should not interfere in any form in the internal affairs of the HKSAR.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/26/P2020062600904.htm>

Government launches Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong

The HKSAR Government launched on June 29 the Pilot Scheme on Facilitation for Persons Participating in Arbitral Proceedings in Hong Kong (the Scheme). It aims to provide facilitation for eligible non-Hong Kong residents participating in arbitral proceedings in Hong Kong on a short-term basis in order to strengthen Hong Kong's position as an international centre for legal and dispute resolution services in the Asia-Pacific region, and be in line with the Belt and Road Initiative as well as the Guangdong-Hong Kong-Macao Greater Bay Area Development.

Under the Scheme, nationals of countries who may visit Hong Kong visa-free (visa-free nationals) and are in possession of the "Letter of proof" (the Letter) are allowed to participate in arbitral proceedings in Hong Kong as visitors and will not be required to obtain employment visas. The duration that they may stay in Hong Kong for participating in arbitral proceedings shall not exceed the current visa-free period for visit. The Scheme will run on a trial basis for two years.

The Scheme covers four categories of visa-free nationals, namely (i) arbitrators; (ii) expert and factual witnesses; (iii) counsel in the arbitration; and (iv) parties to the arbitration (Eligible Persons).

Persons who are seeking to benefit from the Scheme shall obtain the Letter confirming that they are Eligible Persons participating in arbitral proceedings in Hong Kong.

It should however be noted that in view of COVID-19, with effect from March 25, 2020, until further notice, persons covered by the Scheme are also subject to the non-Hong Kong residents' entry restriction.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/29/P2020062900772.htm>

Updates on COVID-19 infection in Hong Kong

The HKSAR Government has implemented a comprehensive and co-ordinated approach to contain the spread of the novel coronavirus and protect the health of the community while maintaining Hong Kong's position as an international city and aviation hub.

An information page "Latest Situation of Novel Coronavirus Infection in Hong Kong" has been added to the official website of HKETO. Information in the page includes the latest local situation, reported cases, health tips, travel advice etc.

You are invited to browse the page by clicking the banner on top of HKETO website or the following link:

<https://www.coronavirus.gov.hk/eng/index.html>

Government announces latest disease prevention measures

The HKSAR Government on June 30 announced the latest disease prevention measures and arrangements under the Prevention and Control of Disease Ordinance (Cap. 599), extending the social distancing measures in relation to catering business, scheduled premises and group gatherings in public places, as well as continuing the implementation of immigration control measures.

Social distancing measures

(1) On catering business, the restriction on the number of customers at a bar/pub will be relaxed by increasing such limit to not exceeding 80 per cent of the normal seating capacity of that premises and that part of the premises.

(2) On scheduled premises, the restriction on the number of persons at large-scale entertainment stations, machines or facilities at places of public entertainment, cinemas or all places of public entertainment with live performance, as well as clubs or nightclubs, will be relaxed by increasing such cap to 80 per cent of the capacity.

(3) On group gatherings, the number of persons allowed in group gatherings in public places will be maintained at 50. Under the exempted group gatherings, the restriction on number of participants in group gatherings during religious activities will be relaxed by increasing such limit to not more than 80 per cent of the number of persons that may normally be accommodated on the premises as a place of worship.

These latest directions came into effect on July 3, 2020 for a period of 14 days till July 16, 2020.

Immigration control measures

Subject to the epidemic situation, the HKSAR Government will consider relaxing the restrictions on cross-boundary movement of people between Guangdong and Hong Kong or between Hong Kong and Macao within certain limits in order to facilitate those with essential needs to travel. The Government will announce the relevant details when the outcome of the latest discussions on the arrangements concerning cross-boundary movement of people is available.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/30/P2020063000854.htm>

HKSARG welcomes Thailand’s announcement to establish special travel arrangement for cross-border control with Hong Kong

At the webinar titled “Resilience Strategy: Thailand-Hong Kong Partnership” on June 29, the Government of Thailand announced the decision to set up a special travel arrangement for cross-border control with five economies including Hong Kong as a first step in relaxing its inbound passenger control. The HKSAR Government welcomed the announcement. A newly established inter-departmental team led by the Commissioner for Tourism will start discussing with the relevant departments in the Thai Government.

The Secretary for Commerce and Economic Development, Mr Edward Yau, said that the special relaxation arrangements for cross-border control between the two places can gradually resume cross-boundary business exchange and it will give a tremendous boost to Hong Kong’s economic recovery.

Mr Yau also said that on establishing the relevant mechanism with Thailand, it is most important to contain the potential risk brought about by the increase of passenger flow and continuously monitor the epidemic development and prevention work of the two places while relaxing the control on inbound passenger traffic progressively. The overall goal is to strike a balance between economic considerations and epidemic control.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/29/P2020062900880.htm>

Government distributes 30 million locally-produced masks to the public free-of-charge

The Commerce and Economic Development Bureau announced on June 25 that the HKSAR Government began to deliver masks free-of-charge to all residential addresses in Hong Kong through Hongkong Post starting from June 30. Each household will receive a pack of ten disposable adult masks. The masks are the first batch procured by the HKSAR Government under the Local Mask Production Subsidy Scheme. The Government wishes to share these masks with the public and fight the virus together.

At present, Hongkong Post’s delivery service covers approximately 2.88 million residential addresses in Hong Kong. To make the delivery process simple for the public, there is no need for any pre-registration.

As for the small number of residential households not currently covered by Hongkong Post's delivery service, alternative delivery arrangements will be made, which include assistance provided by the Social Welfare Department and the District Offices.

The HKSAR Government launched the Local Mask Production Subsidy Scheme under the Anti-epidemic Fund to provide financial assistance to 20 local mask production lines. The Government estimates that when all the 20 subsidised lines are in full production, every month they will collectively supply about 34 million masks to the Government and about 7.6 million masks to the local market.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/25/P2020062500449.htm>

Registration for Cash Payout Scheme to start on June 21

Registration for the Cash Payout Scheme started on June 21. The 21 participating banks have started accepting electronic registration. Special arrangements have also been made so that about 1 000 bank branches and 120 post offices across the territory will be open from 9am to 5pm to facilitate the submission of registration forms.

A HKSAR Government spokesman stressed that registering electronically through banks to receive the payment with a sole-name account is the fastest and most convenient way to receive the payment. Internet banking users only need to provide their local contact number and choose a sole-name account to receive the payment. People who do not have an Internet banking account may register electronically at the websites of the banks by simply providing their local contact number, their bank account number for receiving the payment and the first four alphanumeric characters of their Hong Kong permanent identity card.

Apart from one virtual bank, all the participating banks will also accept registration by paper form. People who do not opt to register online may put completed paper registration forms into drop-in boxes at banks or mail them to GPO Box No. 182020.

People who wish to receive the payment by order cheques may submit an electronic registration form at the Hongkong Post website, or put the completed paper registration form into a drop-in box at a post office or mail it to GPO Box No. 182020. Registrants have to collect the cheque in person later at the chosen post office by producing the notification issued by Hongkong Post and their Hong Kong permanent identity card.

The public may visit the website of the Scheme (www.cashpayout.gov.hk) or call 18 2020 for detailed information on the Scheme.

Hong Kong e-News Bulletin

July 3, 2020



Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/19/P2020061900680.htm>

Advertising technology company Adcore Inc sets up regional headquarters in Hong Kong

Canadian-listed advertising technology company, Adcore Inc, announced on June 23 that it has officially opened its regional headquarters in Hong Kong as part of its strategic expansion in the Greater China region.

Adcore Inc is one of the leading providers of machine-learning powered marketing technologies used by digital agencies and advertisers to maximise online advertising. The company is eyeing the growing trend of digital marketing in Asia, especially in the areas of e-commerce, education, fintech and travel.

Adcore has offices in Canada, Australia, Hong Kong and Israel, and was named numerous times on Deloitte's Technology Fast 50 list.

Click the following link for details.

<https://www.info.gov.hk/gia/general/202006/23/P2020062300343.htm>

Hong Kong is one of the world's biggest healthcare and research hubs

CNBC, in partnership with the Hong Kong Information Services Department, created a piece of branded content "Hong Kong becoming an R&D powerhouse" to explain why Hong Kong is set to become one of the world's biggest healthcare and research hubs. Please click the link below for details:

<https://www.cnbc.com/advertorial/hong-kong-becoming-an-rd-powerhouse/>

To stay tuned to updates on HKETO and Hong Kong, please follow us at

HKETO Toronto Facebook Page www.facebook.com/TorontoHKETO

HKETO Toronto Twitter Page <https://twitter.com/TorontoHKETO>

Brand Hong Kong Facebook page www.facebook.com/brandhk.isd or

Brand Hong Kong Instagram page www.instagram.com/brandhongkong/

Brand Hong Kong Twitter page https://twitter.com/Brand_HK

Hong Kong e-News Bulletin

July 3, 2020



This message was sent from the Hong Kong Economic and Trade Office in Toronto, 174 St. George Street, Toronto, ON M5R 2M7.

For enquiries, please contact:

Miss Hilda Chow, Public Relations Officer, at
hilda_chow@hketotoronto.gov.hk or 416-924-5544.

For help setting up your business in Hong Kong, please contact:

Mr. Christopher Chen, Head of Investment Promotion at
christopher_chen@hketotoronto.gov.hk or visit www.InvestHK.gov.hk

You are receiving this e-mail for information only. You may at any time unsubscribe from receiving our communications by contacting us at info@hketotoronto.gov.hk; or, simply click [here](#) to unsubscribe.