

## **Key statistics on service demand of A&E Departments and occupancy rates of medical wards in public hospitals**

The following is issued on behalf of the Hospital Authority:

During the winter surge, the Hospital Authority (HA) is closely monitoring the service demand of Accident and Emergency Departments and the occupancy rate of medical wards in public hospitals. Key service statistics are being issued daily for public information. Details are in the appended table.

In addition, the weekly bulletin "Surge in Brief" (appended) will be issued every Thursday to illustrate the trend of key service statistics in public hospitals in the past month. "Surge in Brief" can be accessed in the HA Winter Surge designated webpage ([www.ha.org.hk/goto/wintersurge/en](http://www.ha.org.hk/goto/wintersurge/en)).

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## **Red flag hoisted at Clear Water Bay Second Beach**

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (January 24) that due to big waves, the red flag has been hoisted at Clear Water Bay Second Beach in Sai Kung District. Beach-goers are advised not to swim at the beach.

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## **SCED meets with trade ministers and business leaders in Davos**

The Secretary for Commerce and Economic Development, Mr Edward Yau, met with trade ministers and business leaders in Davos, Switzerland today

(January 23, Davos time) to promote Hong Kong's strength as an international trading hub and to forge closer economic ties with Hong Kong's trading partners.

"It is of paramount importance that Hong Kong maintains our presence at major international fora like the World Economic Forum (WEF) and the World Trade Organization meetings. They provide very good opportunities for us to establish and renew close contacts with our trade counterparts and to keep our finger on the pulse of the global trade scene, which is conducive to maintaining Hong Kong's status as an international trade and financial centre," Mr Yau said.

Mr Yau said the current-term Government is striving to strengthen bilateral ties with like-minded trading partners and deepen Hong Kong's economic integration with different part of the world.

In this regard, in the afternoon, Mr Yau held a bilateral meeting with the Federal Minister of International Trade Diversification of Canada, Mr James Carr, to discuss the prospect of further strengthening trade co-operation between the two places. He also met with the Minister for Trade of the Ministry of Trade, Industry and Energy of Korea, Mr Kim Hyun-chong, to exchange views on trade issues and discuss the progress of the setting up of an Economic and Trade Office in Seoul.

Hong Kong signed Investment Promotion and Protection Agreements with Korea and Canada in 1997 and 2016 respectively.

Mr Yau also joined the Financial Secretary, Mr Paul Chan, to meet with the Secretary of State for International Trade of the United Kingdom, Dr Liam Fox, to discuss issues relating to forging closer bilateral economic ties between the two places, including exploring the possibility of a free trade agreement in future. Mr Yau told Dr Fox that Hong Kong welcomes more British companies setting up offices in Hong Kong and making use of the Mainland and Hong Kong Closer Economic Partnership Arrangement to enter into the Mainland market and tap the vast business opportunities therein.

Mr Yau took part in the "Informal Gathering of World Economic Leaders: The End of Global Trade as We Know it?" under the WEF where participating ministers and policy makers exchanged views on the outlook for free trade and the multilateral trading system in the present era. He spoke on the challenges facing the current global economic and trade environment in the meeting.

In the morning, Mr Yau attended one of the sessions of the WEF Annual Meeting entitled "Emerging Markets Outlook". He will join the WEF China Night this evening.

Mr Yau will speak at a panel discussion of a Belt and Road Forum and a lunch hosted by the Washington Post, Slate and Foreign Policy tomorrow (January 24, Davos time).

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## **More convenient application measures under Caring and Sharing Scheme announced**

The Government announced today (January 23) a series of measures under the Caring and Sharing Scheme (the Scheme) to make it more convenient for eligible persons to submit applications.

In view of the public demand, an additional one million Chinese application forms are being made available in batches from today until next Monday (January 28) for collection by members of the public at the Home Affairs Enquiry Centres of the Home Affairs Department, the Working Family Allowance Office and the Student Finance Office of the Working Family and Student Financial Assistance Agency. Application forms can also be downloaded from the website of the Scheme ([css.gov.hk](http://css.gov.hk)).

To facilitate public enquiries about details of the Scheme, the 24-hour telephone hotline 3897 1088 has also been increased from 28 lines to 34 lines.

Given certain public concerns about the practical difficulties in providing address proof, and that applicants declare in the application form their understanding that the wilfull making of a false statement, misrepresentation or concealment of any information in order to obtain the amount by deception is a criminal offence, the Government has decided not to require applicants to provide their address proof so as to enhance convenience in the submission of applications.

The Government will also adopt a lenient approach in handling applications sent by mail with insufficient postage to ensure that they can be processed.

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## **LegCo: Speech by SCMA for moving Second Reading of the National Anthem Bill**

Following is the translated speech by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, at the Legislative Council (LegCo)

today (January 23) for moving the Second Reading of the National Anthem Bill:

Mr President,

I move the Second Reading of the National Anthem Bill (the Bill).

The Standing Committee of the 12th National People's Congress (NPCSC) adopted the decision to add the National Anthem Law to Annex III to the Basic Law on November 4, 2017. According to Article 18 of the Basic Law, the national laws listed in Annex III to the Basic Law shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region (HKSAR). It is thus the constitutional duty of the HKSAR Government to implement the National Anthem Law locally.

Having regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong, the HKSAR Government decides to implement the National Anthem Law in the HKSAR by local legislation, fully embodying the "one country, two systems" principle. We consulted the Panel on Constitutional Affairs of the Legislative Council (CA Panel) on the outline of the proposed content of the Bill in March last year, and attended two special meetings of the CA Panel in April and May respectively to listen to the views of the public and deputations. In the past year, we have also met with political parties, professional bodies and scholars, etc. with a view to listening to and incorporating their views. After vigilant deliberation and careful drafting, we formally submit the Bill to the Legislative Council today for First Reading and Second Reading, and for scrutiny by Members.

The legislative principle of the National Anthem Bill is very clear: to fully reflect the legislative purpose and intent of the National Anthem Law, which is to preserve the dignity of the national anthem and promote respect for the national anthem; and at the same time to give due regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong.

The National Anthem Law consists of 16 clauses. Apart from Articles 9, 14 and 16, all of the remaining 13 clauses have been suitably adapted in the Bill.

The focus of the Bill is two-pronged: firstly, to state that the national anthem is the symbol and sign of the People's Republic of China, and to promote respect for the national anthem by means of directional provisions; secondly, to impose penalties on people who publicly and intentionally insult the national anthem or misuse the national anthem. The directional provisions are in Part 2 of the Bill whereas the provisions on penalties are in Part 3.

Part 2 of the Bill is "Playing and Singing of National Anthem", which provides the standard, etiquette and occasions for the playing and singing of the national anthem. All of these provisions are "directional" and do not carry any penalty. This part clarifies that the etiquette to be followed regarding the playing and singing of the national anthem only applies to

persons who "take part in or attend" an occasion where the national anthem is played and sung. This should be able to dispel public concerns about "whether one should stand solemnly when the national anthem is broadcast on television" and other similar questions. This part also specifies that on each occasion set out in Schedule 3 of the Bill, the national anthem must be played and sung. These occasions include official occasions of the HKSAR Government, the oath-taking ceremonies of principal members of the executive authorities, legislature and judiciary when they assume office, national flag raising ceremonies, major sporting events held by the Government, and the Ceremonial Opening of the Legal Year.

Part 3 of the Bill is "Protection of National Anthem", which prohibits misuse of the national anthem or its lyrics or score, as well as public and intentional insulting behaviours in relation to the national anthem. It also provides penalties for such behaviours. I understand that some may demand the Government to assess each and every scenario and comment if any of them will contravene the law. In reality, the enforcement agency would, according to the actual circumstances and evidence collected in each case, make an assessment in accordance with the law, and the court will hand down judgment in accordance with the usual standard of handling criminal cases in Hong Kong. Nevertheless, our legislative intent is very clear, i.e. to prohibit public and intentional behaviours with an intent to insult the national anthem. We will use the above principles, which are commonly used in the common law system, as the basis of assessing whether a case contravenes the law. Therefore, there is absolutely no need for members of the public to worry about "inadvertently contravening the law" if they have no intention to insult the national anthem. It is worth mentioning that the Bill contains a provision (clause 7(5) of the Bill) to protect the publishing of materials to insult the national anthem with reasonable grounds (e.g. fair reporting by media, educational purposes by teachers, etc.), making it clear for the public that such acts of publishing with no intent to insult the national anthem will not constitute a criminal offence.

Part 4 of the Bill is "Promotion of National Anthem", which requires the Secretary for Education to give directions for the inclusion of the national anthem in primary education and secondary education, which cover all primary and secondary schools. The Bill also requires domestic television programme service licensees and sound broadcasting service licensees to broadcast the national anthem as announcements in the public interest (APIs) or material in the public interest pursuant to the existing terms and conditions in their respective licences. These two requirements have reflected the legislative intent of the National Anthem Law, and at the same time taken into account the actual circumstances of Hong Kong. They are actually similar to what is currently being done.

The above is the main content of the Bill. Overall speaking, the main spirit of the Bill is "respect", which I believe is easy to understand and not hard to follow by the general public. For those with an intent to insult the national anthem, and publicly and intentionally perform acts to insult the national anthem, there is a need to introduce punitive provisions in the Bill to deter such behaviours. We believe that the majority of the public

would respect the national anthem. Hence, the Bill will not have any impact on the daily lives of the general public.

Mr President, with these remarks, I call on Members to support the early passage of the Bill to fulfill the responsibility of Hong Kong to implement the National Anthem Law.

Thank you, Mr President.