Speech by Acting SJ at 8th ICAC Symposium (English only)

Following is the keynote address by the Acting Secretary for Justice, Mr Cheung Kwok-kwan, at the 8th ICAC Symposium "Charting a New Path to Combat Corruption" today (May 22):

Commissioner Woo (ICAC Commissioner, Mr Woo Ying-ming), distinguished guests, ladies and gentlemen,

It is my honour today to deliver a keynote address at this symposium, alongside all the distinguished speakers.

In the following time, I would like to highlight the work of the Department of Justice (DoJ) in combating corruption by upholding rule of law at both local and international levels.

Rule of law in Hong Kong

The notion of rule of law is widely believed to be important for the development of society. Why is it so? Let us look at what the United Nations say. The Goal 16 of the Sustainable Development Goals of the United Nations calls for actions to, among others, "promote the rule of law at the national and international levels and ensure equal access to justice for all", and "substantially reduce corruption and bribery in all their forms".

It is no exaggeration to say that the rule of law based on our common law system is one of the bedrocks of Hong Kong's success and prosperity.

As reflected from various international indices, Hong Kong's rule of law has improved substantially since 1997. Our percentile rank for rule of law in the World Bank's Worldwide Governance Indicators has increased from below 70 points in 1996 to around 88 in 2023, ranking third in Asia.

In the 2023 World Justice Project Rule of Law Index, Hong Kong ranks the sixth in East Asia and the Pacific, and attains 23rd out of 142 countries and jurisdictions, ahead of quite a few western countries.

Credits to the excellent work of the ICAC, Hong Kong is also regarded as one of the least corrupt places under the Corruption Perceptions Index 2023 issued by Transparency International. Hong Kong has consistently remained in the top 20 since the launch of the Index, demonstrating that Hong Kong's anti-corruption efforts by the ICAC have been widely recognised.

Strong legal infrastructure

Hong Kong's success in upholding the rule of law is built on our strong legal infrastructure.

Independent judicial power

It is constitutionally guaranteed that judicial power shall be exercised independently by the courts, free from any interference. Judges are appointed solely on the basis of their judicial and professional qualities by the Chief Executive on the recommendation of an independent commission with their tenure secured under the Basic Law.

One remarkable feature of Hong Kong's judicial system is that our final appellate court may invite eminent foreign judges to sit as non-permanent judges. Including the recently recommended appointment, there will be an increase from nine to 10 foreign non-permanent judges from the United Kingdom, Australia and Canada, who are highly regarded in their own jurisdictions and bring with them international judicial experience that enrich Hong Kong's jurisprudence.

Protection of human rights

The Basic Law also guarantees that everyone, regardless of status, profession or political belief, shall be equal before the law.

All prosecutorial decisions shall be made by the DoJ independently free from any interference, based on the law, the evidence and the published Prosecution Code.

The right to fair trial is guaranteed in the Basic Law. Court hearings are open to the public. Judicial decisions with detailed reasons are available online.

We also ensure equal access to justice. In Hong Kong, there is no ceiling on legal aid expenditure covering a wide range of civil and criminal cases. Once the statutory means and merits tests are satisfied, legal aid funding will be made available.

Legal profession

With a robust infrastructure in place, we need human talent to make it work effectively. Hong Kong is home to a deep pool of legal professionals comprising solicitors and barristers who are self-regulated respectively by the Law Society and the Bar Association of Hong Kong. We have also attracted a substantial number of overseas lawyers to provide professional services in Hong Kong.

These local and overseas legal professionals are multilingual and highly regarded internationally in terms of their expertise and strong integrity.

Promotion of the rule of law at all fronts

Fully recognising its importance, the DoJ spares no efforts in the promotion of rule of law.

We launched the ROLE Stars Train-the-Leaders Programme in November 2023 which aims at enhancing the trainees' ability and effectiveness in disseminating proper messages on the rule of law in their roles and capacities in the community. After the successful conclusion of its Phase I

last year, we are actively planning to launch the second phase in Q3 this year.

The DoJ also actively collaborates with other stakeholders, including the Law Society and the Bar Association, in promoting rule of law to different sectors of the community. For example, we have put in place interactive drama performances on the rule of law for primary schools.

Speaking of stakeholders, we are most grateful for the ICAC's dedicated efforts on public education, adopting an "Ethics for All" approach to devise preventive education programmes for different sectors of the community, e.g. the iTeen Leadership Programme and ICAC Ambassador Programme for senior secondary and tertiary students. In the past years, the DoJ helped organise interesting rule of law journeys for the iTeen Leaders and ICAC Ambassadors. And this year, we are planning to send our Rule of Law Education Leaders to visit the ICAC so as to further deepen our trainees' understanding of the important role of the ICAC in upholding the rule of law. I hope that through such these exchanges, we could create synergy in our joint efforts on the promotion of rule of law.

Hong Kong International Legal Talents Training Academy

Furthermore, the DoJ has set up an internal working group responsible for taking forward the establishment of the Hong Kong International Legal Talents Training Academy. As mentioned in the Chief Executive's 2023 Policy Address, this year, the DoJ will set up a dedicated office and an expert group to take forward the establishment of the Academy. Capitalising on Hong Kong's strengths under the rule of law, bilingual common law system and international status, the Academy will plan, organise and launch training programmes focusing on legal practices and procedures based on the DoJ's existing training and capacity building programmes, further consolidating Hong Kong's position as an international legal and dispute resolution services centre in the Asia-Pacific region. In developing Hong Kong as a national capacity-building centre for foreign-related rule of law personnel, we are better safeguarding national sovereignty, security and development interests.

Other local measures

The constitutional guarantee of prosecutorial independence in Hong Kong under the Basic Law is a linchpin of our rule of law.

Corruption undermines social fairness and justice, hinders economic cooperation and development, as well as affects government credibility and the rule of law. As the Court of Appeal forewarned us in HKSAR v Chan Sze-ting & Anor, (unreported), HCMA 106/1997, "If corruption was not destroyed, it would destroy society." It is against this background that the Prevention of Bribery Ordinance was enacted and the Independent Commission Against Corruption, the ICAC, was established.

Combatting corruption and upholding the rule of law are essential for a fair and just society. This involves enforcing strict regulations, promoting

transparency, empowering independent judicial systems, and fostering a culture of accountability among both citizens and public officers.

The setting up of the ICAC in Hong Kong equipped with a comprehensive regime of anti-corruption offences and investigatory powers signify our determination to hit hard at the root of the social evil of corruption.

Technology has enabled crimes today to transcend jurisdictional boundaries. In charting a new path to combat corruption, closer crossjurisdictional co-operation between law enforcement and prosecutorial agencies is more vital than ever. Joint collaborative efforts comprises the sharing of information among countries to investigate and prosecute crossborder corruption cases. The importance of experience sharing sessions cannot be overlooked.

The 11th IAP Asia and Pacific Regional Conference of the International Association of Prosecutors is an example of our endeavour in global cooperation initiatives. The Conference will be hosted by the Prosecutions Division of our department in November this year in the Hong Kong Convention and Exhibition Centre. The event will be attended by around 200 prosecutors, including the Attorney General and heads of prosecutorial agencies, from different jurisdictions in the Asia Pacific Region and across the globe. The Conference, with the theme of "Effective Prosecution Service in the Technological Age", will focus on combatting crime in the technological age and the use of technology in the criminal justice system. It is certain that much insights and perspectives can be gained through such a meaningful forum where legal knowledge and experience is shared on a global level.

International co-operation

Hong Kong is not doing all these alone. The HKSAR has always been committed to playing a proactive role in international co-operation in law enforcement. We have an ongoing initiative to establish and expand legal co-operation with other jurisdictions across the globe. Over the years, we have regularly and successfully rendered international co-operation and legal assistance in criminal matters to many other jurisdictions pursuant to applicable arrangements and multilateral conventions including the United Nations Convention Against Corruption (UNCAC), which has been applied to Hong Kong since 2006.

Domestically, the Fugitive Offenders (Corruption) Order, the Mutual Legal Assistance in Criminal Matters (Corruption) Order, the Prevention of Bribery Ordinance and the Organized and Serious Crimes Ordinance contain detailed provisions, covering the creation, investigation and prosecution of relevant offences of bribery, corruption and money laundering; and the arrangements on surrender of fugitive offenders and mutual legal assistance in criminal matters, including provision and obtaining of evidence, as well as restraining, confiscating and repatriation of proceeds of crime.

The HKSAR has always maintained a high standard in processing requests for mutual legal assistance, the quality of which has been fully recognised and highly regarded worldwide, such as in the Mutual Evaluation Report

published by the Financial Action Task Force in 2019.

The HKSAR has fulfilled its important role in the fight against cross-border crimes. In particular, the HKSAR has been fully supportive of the work of the United Nations Office on Drugs and Crime (UNODC). Legal experts from the DoJ have taken an active part as members of the delegation of the People's Republic of China in participating a wide range of UNODC-related events, including the Conference of the States Parties to the UNCAC, the Implementation Review Group of the UNCAC, the Open-ended Intergovernmental Working Group on Asset Recovery and the Open-ended Intergovernmental Expert Meeting to Enhance International Cooperation.

In the last decade, the DoJ has processed over 1 000 mutual legal assistance requests and more than 30 surrender cases that concern offences covered by the UNCAC. In the same period, over HK\$270 million of proceeds of crime had been restrained, of which over HK\$170 million was ordered by the Court to be confiscated. There are many successful cases of sharing of confiscated assets with other jurisdictions.

Moreover, I am also pleased to share with you the good news that China, the HKSAR and Macao SAR have recently been admitted as full members of the South East Asia Justice Network (SEAJust). This network aims to promote international co-operation and intelligence sharing in the combat against all forms of serious and organised crimes. The HKSAR's participation in SEAJust will complement conventional formal legal co-operation among member jurisdictions and enable us to further consolidate our effectiveness in international law enforcement co-operation and to cope with new challenges in the combat against cross border crimes.

Last but not least, I wish to express my best wishes to the success of this symposium. I am sure that the insights shared during these three days would go beyond the event, so that we could continue to fight against corruption with confidence.

Thank you very much.

FS to visit France and US

The Financial Secretary, Mr Paul Chan, will depart for a visit to Paris, France, this evening (May 22) to attend the Guangdong-Hong Kong-Macao Greater Bay Area and Europe (France) Economic and Trade Cooperation Conference, jointly organised by the People's Government of Guangdong Province, the Hong Kong Special Administrative Region (SAR) Government and the Macao SAR Government to promote the enormous business opportunities brought by the Guangdong-Hong Kong-Macao Greater Bay Area for the European business community, and Hong Kong's unique role and function as a "super connector" and "super value-adder".

During his stay in France, Mr Chan will meet with members of the local political and business community and financial sectors, to share with them the latest updates of Hong Kong, and the business advantages and development opportunities offered by Hong Kong. He will also visit a number of enterprises to explore the initiation of business ventures and project collaborations in Hong Kong.

After his visit to France, Mr Chan will depart for San Francisco and Berkeley in California, the United States (US), on May 27. He will lead a delegation of the Hong Kong SAR Government, together with the delegations from the Guangdong Province and the Macao SAR, to take part in the Bay to Bay Dialogue between the California Bay Area and the Guangdong-Hong Kong-Macao Greater Bay Area on May 29, and the US-China High-Level Event on Subnational Climate Action on May 29 and 30. Members of the Hong Kong SAR delegation include the Secretary for Commerce and Economic Development, Mr Algernon Yau; the Secretary for Transport and Logistics, Mr Lam Sai-hung; the Under Secretary for Financial Services and the Treasury, Mr Joseph Chan; the Commissioner for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area, Ms Maisie Chan; the Director-General of Investment Promotion, Ms Alpha Lau; and the Commissioner for Climate Change, Mr Wong Chuen-fai, as well as representatives from the Hong Kong Monetary Authority, the Hong Kong Exchanges and Clearing Limited, the Hong Kong Science and Technology Parks Corporation, Cyberport, the University of Hong Kong, and the Hong Kong University of Science and Technology.

During his stay in the US, Mr Chan will also attend a business luncheon co-organised by the Hong Kong Economic and Trade Office in San Francisco and the Bay Area Council, a business association in San Francisco, the US, to brief the local business community as well as innovation and technology sector the latest developments of and business opportunities in Hong Kong. Moreover, he will meet with representatives of the local political and business circles and visit enterprises.

Mr Chan will depart for Hong Kong from San Francisco on May 31 and arrive in Hong Kong in the morning of June 1. During his absence, the Deputy Financial Secretary, Mr Michael Wong, will be the Acting Financial Secretary. During the absence of Mr Yau, the Under Secretary for Commerce and Economic Development, Dr Bernard Chan, will be the Acting Secretary for Commerce and Economic Development. The Under Secretary for Transport and Logistics, Mr Liu Chun-san, will be the Acting Secretary for Transport and Logistics during Mr Lam's absence.

Result of tenders of People's Bank of

China RMB Bills held on May 22, 2024

The following is issued on behalf of the Hong Kong Monetary Authority:

Result of the tenders of the People's Bank of China RMB Bills held on May 22, 2024:

Tender Result

Tender Date : May 22, 2024

Bills available for Tender : Three-month RMB Bills

Issuer : The People's Bank of China

Issue Number : BCHKFP24009
Issue Date : May 24, 2024

Maturity Date

August 23, 2024 (or the

closest coupon payment date)

Application Amount : RMB 68,410 million Issue Amount : RMB 30,000 million

Average accepted Coupon Rate: 2.63 %

Highest accepted Coupon Rate
(Bills' Coupon)

Lowest accepted Coupon Rate : 1.75 %

Allocation Ratio (At Highest

accepted Coupon Rate) : Approximately 2.35 %

Tender Result

2.75 %

Tender Date : May 22, 2024

Bills available for Tender : One-year RMB Bills

Issuer : The People's Bank of China

Issue Number : BCHKFP24010 Issue Date : May 24, 2024

Maturity Date

May 24, 2025 (or the closest

coupon payment date)

Application Amount : RMB 53,894 million Issue Amount : RMB 20,000 million

Average accepted Coupon Rate: 2.60 % Highest accepted Coupon Rate: 2.70 % (Bills' Coupon)

Lowest accepted Coupon Rate : 1.75 %

LC: Speech by Acting CS in presenting Government Minute in response to Report No. 81 of Public Accounts Committee

Following is the speech (translated from Chinese) by the Acting Chief Secretary for Administration, Mr Cheuk Wing-hing, in presenting the Government Minute in response to Report No. 81 of the Public Accounts Committee in the Legislative Council today (May 22):

President,

Laid on the table today is the Government Minute (GM) responding to Report No. 81 of the Public Accounts Committee (PAC) presented to the Legislative Council on February 21, 2024.

I welcome the Report of the PAC and am grateful for the time and efforts devoted by the Chairman of the PAC, Hon Shiu Ka-fai, and members of the PAC. The Government accepts the PAC's various recommendations and sets out in detail in the GM the specific responses of the relevant bureau and departments (B/Ds). The PAC conducted public hearings on the chapters on "Licensing of food premises" and "Maintenance and modernisation of lifts and escalators in public rental housing estates". I would like to highlight the key measures taken and progress made by the Government and relevant organisations in response to the recommendations.

Licensing of food premises

Regarding the work on licensing for food premises, the Food and Environmental Hygiene Department (FEHD) has taken various measures to actively implement the recommendations raised by the PAC and the Audit Commission, with a view to enhancing the licensing procedures, improving work efficiency, and facilitating compliance with relevant requirements by all parties.

Regarding the processing of applications for new food business licences, the FEHD has set up a working group with relevant departments to expedite the implementation of an electronic referral system, to enhance the efficiency of departmental consultation. The departments are expected to enhance their communications and start referring applications electronically from the second quarter of this year. The FEHD has also strengthened communication

with licence applicants to confirm early whether an Application Vetting Panel meeting is necessary in respect of their licence application so as to make suitable arrangements. Applicants can also check the application progress through the Online Licence Services system of the FEHD.

Regarding the information system, the FEHD has enhanced its Licence Management Information System (LMIS) such that it can automatically record the key timestamps of the application process for directly calculating the processing time and issuing email alerts to remind frontline staff when their cases are approaching the deadlines of performance pledges. The LMIS 3 is scheduled to be rolled out in 2025 to improve work efficiency by making use of the business process management system to monitor the processing of existing licences and permits, including renewal and transfer cases. Starting from the second quarter of 2024, the FEHD will issue all food business licences or permits through electronic means for further convenience and benefits to the trade and society.

In terms of performance reporting, the FEHD has reviewed the calculation method of processing time for food business licence applications since this year, including using the time of approval as the calculation basis, to include cases which straddled over different years in the calculation, etc in order to reflect the situation more comprehensively and accurately. The FEHD will continue to enhance internal operational guidelines and strengthen staff training, by requesting frontline staff to follow departmental guidelines in processing licence or permit applications and to provide timely reports on case progress to their supervisors.

In addition to the above measures, the FEHD will continue to optimise the food business licensing regime. The FEHD introduced the Professional Certification System with a "licence first, inspection later" approach earlier to shorten the licence processing time, and has further expanded its scope to cover general restaurants since February 2024, in addition to light refreshment restaurants and food factories. Furthermore, the FEHD extensively relaxed the restrictions on food items sold by light refreshment restaurants in 2023. These measures are welcomed by the trade. The FEHD will maintain close communication with the trade and roll out new measures in a timely manner to keep the licensing regime abreast of the times.

Maintenance and modernisation of lifts and escalators in public rental housing estates

In response to the recommendations made by the PAC, the Housing Department (HD) has reviewed the existing three-tier monitoring mechanism adopted for the maintenance of lifts and escalators (L/E) in Public Rental Housing estates and arranged different teams of staff to carry out lift surprise checks and half-yearly inspections in parallel, so as to minimise the frequency of suspension of lift services. In addition, in order to facilitate early identification of areas requiring attention or rectification in lift maintenance, the Housing Bureau and the Hong Kong Applied Science and Technology Research Institute signed a Memorandum of Understanding in November 2023 to jointly explore the application of an Artificial

Intelligence (AI) Predictive Maintenance System for lifts, which would leverage Internet of Things data to predict the lift breakdown patterns for carrying out preventive maintenance. ASTRI commenced the study of the said AI application in March 2024. The HD will work closely with ASTRI and assess the effectiveness of the AI system.

Apart from the monitoring of lift performance, the HD has stepped up efforts in monitoring maintenance records and reports prepared by the L/E contractors. The HD has provided clear guidelines on checking of the maintenance frequency of all main items against those stated in the maintenance schedule. With the HD's close monitoring, the contractors have submitted all the quarterly inspection reports duly signed by Registered L/E Engineers since the third quarter of 2023. Besides, the HD will enhance the existing information technology (IT) system to facilitate the monitoring of submission of quarterly inspection reports by the contractors.

The Lift Modernisation (LM) Programme calls for a complete replacement of the lift installation. The HD has reviewed the scope of LM works and will further discuss with the Lift and Escalator Contractors Association to review the LM project management, work procedures, affordability of the industry, etc with a view to expediting the implementation of LM works without compromising safety. The HD will also strive to shorten the shut down period of lifts by exploring other measures like partial LM and to require contractors to resume lift services within two weeks after obtaining the use permits.

Regarding the assessment of lifts aged 25 years or above for inclusion to the LM Programme, the HD has implemented an automated reminder system for project staff to conduct assessment and submit the evaluation reports in a timely manner. With a view to speeding up the workflow of the assessment exercise, the HD has digitalised the assessment form and recorded the lift evaluation in an IT system. Starting from the first quarter of 2024, staff can directly input the data and generate scores in the system. In addition, the HD has recorded all justifications clearly for determining the priority of lift replacement works under the LM Programme to better demonstrate that the decision of the relevant Technical Assessment Committee has proper basis.

With regard to other safety enhancement measures for L/E, the enhancement works for all prioritised lifts have been proceeded as scheduled. The HD will ensure that such works could be completed by 2031-32 as planned. The HD has also reviewed the project management of lift safety enhancement works and taken measures to shorten the shut down period of lifts. As for the overhaul of escalators, the HD had already revised its instructions in 2018 and all escalators, except newly handed-over escalators which are not yet required to undergo overhaul, have been overhauled in accordance with the HD's instructions.

President, I would like to thank the PAC again for its efforts and suggestions. The B/Ds concerned will strictly adhere to their responses and implement improvement measures as set out in the GM.

Thank you, President.

LCQ9: Enhancing public's knowledge of history of patriotic labour movement

â€<Following is a question by the Hon Kingsley Wong and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (May 22):

Question:

Many members of the public consider that the "Canton-Hong Kong Strike", which broke out in 1925, is a world's astonishing patriotic movement against imperialism. During the 16 months of the movement, over 200 000 people in Hong Kong joined the strike, representing about a quarter of the population at that time. As the movement not only aroused the sense of national identity and patriotic love of Chinese people, but also forced the British Hong Kong Government to adjust its governing policy with reduced discrimination and oppression against Chinese people in Hong Kong, it is an important teaching resource for promoting the spirit of patriotism. In this connection, will the Government inform this Council:

- (1) given that next year marks the 100th anniversary of the Canton-Hong Kong Strike, whether the Working Group on Patriotic Education under the Constitution and Basic Law Promotion Steering Committee will launch patriotic education activities for commemorating the 100th anniversary of the Canton-Hong Kong Strike in order to stimulate patriotic love and cohesiveness in society; if so, of the details; if not, the reasons for that;
- (2) given that the Leisure and Cultural Services Department has established the Chinese Culture Promotion Office (CCPO) to coordinate, plan and implement programmes to promote Chinese culture and history, whether the CCPO will organize an exhibition or a special exhibition for commemorating the 100th anniversary of the Canton-Hong Kong Strike; if so, of the details; if not, the reasons for that; and
- (3) as it is learnt that many members of the public consider that the Government has not attached importance to major historical events in Hong Kong's patriotic labour movement, such as the "Seamen's Strike" and "Uprising of the Two Airlines", whether the Government will strengthen the promotion of the spirit of patriotism as enshrined in the relevant events and step up its publicity and education efforts in the future; if so, of the details; if not, the reasons for that?

Reply:

President.

In consultation with the Culture, Sports and Tourism Bureau (CSTB), the

consolidated reply to the question raised by the Hon Kingsley Wong is as follows:

The Chief Executive announced in the Policy Address last year that patriotic education would be rolled out and be integrated into our education system, and a Working Group on Patriotic Education (Working Group) would be established under the Constitution and Basic Law Promotion Steering Committee led by the Chief Secretary for Administration.

The Working Group was established on April 8 this year. Its membership comprised the relevant Director of Bureaux and Heads of Departments, as well as representatives from relevant sectors of society. Four sub-groups were set up under the Working Group, namely School Education Sub-group, Local Community Sub-group, History, Politics, Economy and Culture Sub-group, and Media Publicity Sub-group to research on, recommend and coordinate for the introduction of different policy measures relating to patriotic education.

The Working Group held its first meeting on April 29, setting down a clear objective: to make patriotism with affection to our country and Hong Kong a mainstream core value in Hong Kong, with a view to enabling the spirit of patriotism to take root in society and people's heart, such that members of the public would proactively and consciously safeguard national sovereignty, unity and territorial integrity. The Working Group has also set a clear direction, that is on one hand to dovetail with the Patriotic Education Law of the People's Republic of China, while at the same time adjust suitably having regard to the actual circumstances in Hong Kong. The Working Group will tender advice on policy measures for effectively promoting patriotic education.

Patriotic education is rich in content, covering various aspects including history, culture, traditions, and symbols and signs of our country. In examining the overall strategy and specific initiatives for rolling out patriotic education, the Working Group will holistically consider all relevant factors including the historical and cultural connotations and values of each of the projects as well as their symbolic meaning, rally efforts of the HKSAR Government and the community, and adopt suitable approaches and channels for taking forward related work, so as to deepen the understanding of the public on the history, culture, development and remarkable achievements of our country, thereby strengthening their awareness and sense of patriotism.

The Working Group is inviting all sectors of the community to offer their valuable suggestions on how to promote patriotic education. We also note the suggestion of promoting the history of patriotic labour movement in Hong Kong. The Working Group will, in due course, consolidate the views and suggestions collected, to give comprehensive consideration and make specific recommendations.

Regarding the suggestion to organise an exhibition for commemorating the 100th anniversary of the Canton-Hong Kong Strike, the Leisure and Cultural Services Department (LCSD) is exploring the feasibility of the suggestion, which includes collaborating with cultural institutions and museums on the

Mainland to enrich the related exhibits and historical information. Besides, the LCSD is also planning to organise public and education programmes, such as talks, next year to enhance public understanding of the history of the Canton-Hong Kong Strike.