

# Free Trade Agreement and Investment Agreement between Hong Kong and Australia enter into force

The Free Trade Agreement (FTA) and Investment Agreement signed between Hong Kong and Australia in March this year will enter into force officially on January 17, 2020, providing Hong Kong traders and investors with legal certainty and more favourable access to the Australian market, while creating more business opportunities and enhancing trade and investment flows between Hong Kong and Australia.

"The agreements which cover trade in goods, trade in services, investment, government procurement, intellectual property, competition and other related areas are comprehensive, modern and of high standard. The commitments we made to each other far exceed our World Trade Organization commitments, thereby enabling our goods, services and investments to enter each other's markets under more preferential terms. Against the prevailing uncertainties in the global economic environment, these agreements provide high transparency and predictability for trade and investment," the Secretary for Commerce and Economic Development, Mr Edward Yau, said today (December 18).

"The fact that the agreements were signed and will come into force within a short span of two and a half years since the negotiations commenced demonstrates that both sides attach great importance to the bilateral relations. We have completed respective internal procedures and set out a date for implementation. This will send a positive signal to both places and our trading partners that it is the shared goal of Hong Kong and Australia to pursue free and open trade and investment, and support the rules-based trading system. The agreements also open up bigger and more extensive market opportunities for business in both places," Mr Yau said.

On trade in goods, all Hong Kong-originating goods can enter Australia tariff-free and via simplified procedures immediately upon the entry into force of the FTA.

On trade in services, commitments made by Australia cover some 140 service sectors. Hong Kong service providers are able to enjoy market access and treatment no less favourable than Australia's local service providers under like circumstances. Australia's commitments encompass sectors where Hong Kong has traditional strengths or has potential for development. These include professional services (including arbitration, conciliation and mediation services), business services, transport services, financial services and telecommunications services.

On investment, Hong Kong investors can enjoy more favourable access to the Australian market under the FTA. In particular, the monetary thresholds for investment screening in a number of sectors have been raised. Investors

from both places will also benefit from the modern provisions on treatment and protection under the new Investment Agreement which, upon its entry into force, will replace the one signed in 1993.

Other benefits of the FTA include facilitative arrangements for business travel as well as provisions to facilitate access to each other's government procurement markets, effective protection of intellectual property rights and promotion of competition.

"This FTA is a high quality and representative one. Hong Kong will continue to explore free trade opportunities with like-minded economic and trading partners. The current term of the Hong Kong Special Administrative Region Government has signed and implemented four FTAs, thanks to the industry for making this possible with their valuable advice and support to government-to-government economic and trade collaboration all along," Mr Yau reiterated.

To help Hong Kong exporters make good use of the preferential tariff treatment under the FTA, the Trade and Industry Department (TID) has issued a trade circular today to inform the trade of the relevant preferential rules of origin and the related requirements. The circular can be accessed at [www.tid.gov.hk/english/aboutus/tradecircular/coc/2019/coc2019.html](http://www.tid.gov.hk/english/aboutus/tradecircular/coc/2019/coc2019.html).

Details of the agreements, including the full texts, are available on the TID's website ([www.tid.gov.hk/english/ita/fta/hkaufsta/index.html](http://www.tid.gov.hk/english/ita/fta/hkaufsta/index.html)).

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## [Correctional Services Department sternly clarifies unfounded media report](#)

With regard to a media report today (December 17) claiming that there were persons in custody receiving treatment in Siu Lam Psychiatric Centre (SLPC) found dead and secretly removed from the institution, the Correctional Services Department (CSD) clarifies that the report is not a fact.

SLPC detains persons in custody who require mental health care, psychiatric observation, treatment or assessment. The psychiatrists from the Hospital Authority will visit SLPC every working day to provide persons in custody with the mental health services including observation, treatment and assessment. Moreover, correctional officers with psychiatric nursing qualification will assist the psychiatrists to provide services to persons in custody concerned. There is no major change recently in terms of penal population in SLPC.

This Department solemnly states that, according to the existing mechanism and the laws, if a person in custody dies during the incarceration in penal institution, the case will be reported to the Police for investigation and a death inquest will be held by the Coroner's Court.

The CSD gives severe condemnation to the irresponsible report of misinformation.

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## Missing woman in Cheung Sha Wan located

A woman who went missing in Cheung Sha Wan has been located.

Zhang Xiaoge, aged 34, went missing after she left her residence on Fuk Wing Street on December 9. Her family made a report to Police on December 11.

The woman turned up at Cheung Sha Wan Police Station to cancel the missing person report on December 15 morning. She sustained no injuries and no suspicious circumstances were detected.

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## Government Statement in respect of the jurisdiction of the Eastern Artificial Island of the Hong Kong-Zhuhai-Macao Bridge

In response to the media enquiries concerning the jurisdiction of the Eastern Artificial Island of the Hong Kong-Zhuhai-Macao Bridge (HZMB), a government spokesman made the following statement today (December 17):

The HZMB is a national-level cross-boundary infrastructure connecting Hong Kong, Zhuhai and Macao. The 55km-HZMB comprises three parts, namely: (i) the Hong Kong Link Road and Hong Kong Port situated in Hong Kong; (ii) the Main Bridge; Zhuhai Link Road and Zhuhai Port situated in Zhuhai; and (iii) the Macao Port situated in Macao.

The HZMB commenced operation on October 24, 2018. The construction and

commissioning of HZMB changes neither the boundary and area of the Hong Kong Special Administrative Region (HKSAR) as promulgated in the Order of the State Council of the People's Republic of China No.221 nor the delineation of jurisdiction at the HZMB between Hong Kong and the Mainland.

Under the Inter-Governmental Agreement in respect of the Construction, Operation, Maintenance and Management of the HZMB (the Inter-Governmental Agreement) signed by governments of the HKSAR, the Guangdong Province and the Macao Special Administrative Region (Macao SAR) in 2010, Clause 2 affirms the "Territoriality Principle", under which the three governments have the responsibility to take enforcement actions and exercise jurisdiction within their own territory in accordance with the respective local laws. Such arrangement can ensure that no legal vacuum would arise in any area on the HZMB as well as assure the security and driving safety of this national-level cross-boundary infrastructure.

According to the "Territoriality Principle", the operation and law enforcement of the Hong Kong Link Road and the Hong Kong Port situated in Hong Kong are carried out by the HKSAR Government in accordance with the laws of Hong Kong; the operation and law enforcement of the Main Bridge situated in Zhuhai are carried out by the Mainland authorities in accordance with the Mainland law; and those of the Macao Port situated in Macao are carried out by the Macao SAR Government in accordance with the Macao law.

According to the abovementioned principle, if any arriving visitor or vehicle conducts any illegal acts on the Hong Kong section of HZMB, the law enforcement agencies of Hong Kong can take enforcement actions although the visitor/vehicle concerned has not yet completed arrival clearance at the Hong Kong Port. There is thus no problem of legal vacuum or lack of enforcement power anywhere on the HZMB.

As we understand, in response to the celebration of 20th anniversary of Macao's return to the Motherland and the visit of national leader to Macao, the Mainland authorities have decided to step up the security risks management of HZMB. On December 9, the Zhuhai Municipal Public Security Bureau announced on the website of Guangdong Provincial Public Security Department that the Zhuhai's authorities would set up security checkpoint at the Eastern Artificial Island of HZMB from December 10 to 22. The area concerned is squarely situated in Zhuhai and belongs to the Mainland jurisdiction. The HKSAR Government should not and would not intervene in the exercise of enforcement power by Mainland authorities in accordance with the Mainland jurisdiction. By the same token, the governments of Mainland and Macao would not intervene the exercise of enforcement power by the HKSAR Government in accordance with HKSAR's jurisdiction.

The abovementioned arrangement does not contradict the "separate locations" mode of clearance arrangement prescribed in Clause 18 of the Inter-Governmental Agreement, under which the three governments have to set up their own boundary control facilities and conduct arrival and departure clearance for all passengers, vehicles and goods in accordance with the respective local laws. The set-up of security checkpoint at the Eastern

Artificial Island is a temporary measure and is not intended for replacing the existing control points. Passengers who have completed the security check at the checkpoint can proceed with their journey and are subject to immigration and customs clearance upon arriving at respective control points via HZMB.

The "Territoriality Principle" set out in the Inter-Governmental Agreement and the respective enforcement arrangements are detailed in the Administration's paper for Legislative Council (LegCo) Panel on Transport (LC Paper No. CB(4)1072/17-18(03)). The paper was discussed in detail at the meeting of the LegCo Panel on Transport on May 18, 2018 and was uploaded to the LegCo's website for public access.

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## **Appeal for information on missing man in Sham Shui Po (with photo)**

Police today (December 17) appealed to the public for information on a man who went missing in Sham Shui Po.

Man Kam-lim, aged 74, went missing after he left his residence in Fu Cheong Estate yesterday morning (December 16). His family made a report to Police on the same day.

He is about 1.7 metres tall, 71 kilograms in weight and of medium build. He has a square face with yellow complexion and short grey hair. He was last seen wearing a blue shirt, a brown jacket, blue trousers, black shoes and a silver bracelet.

Anyone who knows the whereabouts of the missing man or may have seen him is urged to contact the Regional Missing Person Unit of Kowloon West on 3661 8038 or 9020 6542 or email to [rmpu-kw@police.gov.hk](mailto:rmpu-kw@police.gov.hk), or contact any police station.

