

LCQ1: Flying national flag in public places

Following is a question by the Hon Wong Kwok-kin and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (September 29):

Question:

It is learnt that two days before the National Day on October 1 last year and the anniversary of reunification of Hong Kong on July 1 this year, some Members' offices set up in public housing estates flew the national flag outside their entrances to celebrate the occasions. However, the Housing Department (HD), on account of having received complaints, ordered such offices to remove the national flag. Regarding the issue of flying the national flag in public places, will the Government inform this Council:

(1) given that the aforesaid Members' offices originally planned to fly the national flag for two to three days only and that the national flag flown posed no safety issues, of the justifications for the HD to disallow the flying of the national flag by such offices;

(2) whether it will draw up guidelines to stipulate that members of the public may fly the national flag in designated public places within a short period of time before and after the days of national celebrations, so that they have rules to follow; and

(3) whether it will implement measures to encourage members of the public to fly the national flag in public places on major festive days to express their support and respect for the country; if so, of the details; if not, the reasons for that?

Reply:

President,

The national flag is the symbol and sign of the country, representing the authority and dignity of the country. It also serves as an important means for members of the public to express their patriotic feelings and strengthen their national sense. The Government of the Hong Kong Special Administrative Region (HKSAR) has the responsibility to safeguard the proper use of the national flag and national emblem in order to preserve their dignity, and at the same time, to encourage the public to use the national flag and its design on appropriate occasions to express their patriotic feelings. Currently under the scrutiny of the Legislative Council, the National Flag and National Emblem (Amendment) Bill 2021 (Amendment Bill) has set out in section 2 of its preamble that "all individuals and organizations should respect and cherish the national flag and national emblem, and use the national flag and its design on appropriate occasions".

Having consulted the Transport and Housing Bureau, the Home Affairs Bureau, the Education Bureau (EDB) and the Administration Wing, my consolidated reply to the question raised by the Member is as follows:

(1) The Hong Kong Housing Authority (HKHA) has all along been following the rules and relevant guidelines of display of the national flags under the National Flag and National Emblem Ordinance in handling applications submitted by councillors or organisations for display of the national flags in public rental housing (PRH) estates. One of the important consideration factors is public safety under which flags displayed in PRH estates should be firmly fastened and should not cause nuisance or danger to the residents or passengers in the areas.

As regards the incident as mentioned in the question, according to the HKHA's record, the HKHA received an enquiry from a resident in late-June 2021 concerning the planned display of national flag and regional flag at the upper edge of the eave outside the ward office of a council member. As the concerned location is quite close to the residential units, the flag pole installed could have possibly imposed safety risks. Therefore, for the sake of safety, the staff of the HKHA and the ward office reached a consensus after deliberation, and agreed to hang the flags outside the ward office. The matter had been properly settled.

(2) and (3) The HKSAR Government has been encouraging members of the public to use the national flag and its design properly on appropriate occasions, with a view to expressing their patriotic feelings. Any person who wish to use the national flag and its design must ensure that such use is in accordance with the relevant requirements in the National Flag and National Emblem Ordinance (the Ordinance), and the stipulations made by the Chief Executive pursuant to sections 3 and 6 of the Ordinance, including securing relevant approval when necessary. Application for use of the national flag and its designs should be addressed to the Administration Wing. Relevant application details are available at the website of the Protocol Division Government Secretariat.

To strengthen the national sense of the members of the public and promote patriotism, the HKSAR Government has taken forward publicity and educational work of national flag, national emblem and national anthem in a proactive manner, as well as made use of different channels and media to publicise relevant messages. For instance, announcements in the public interest on television and radio for promoting the knowledge of these national symbols and signs and the related rules of usage will be produced, in order to educate members of the public to properly display or use the national flag and the national emblem. In addition, schools are obliged in education to enhance students' understanding and respect for national flag, national emblem and national anthem, and cultivate in them the national sense. Knowledge about national flag, national emblem and national anthem has been incorporated into different subjects at primary and secondary levels, as well as life-wide learning activities related to moral, civic and national education. Upon the passage of the Amendment Bill, the EDB will give directions to schools on matters relating to education in national flag and national emblem, including the daily display of the national flag and the

weekly conduct of national flag raising ceremony, with a view to facilitating schools to implement relevant requirements to strengthen students' knowledge on national flag and national emblem, as well as foster students' national sense and sense of national identity. Besides, the EDB has all along been providing relevant resources and support to schools, including producing various learning and teaching resources, and organising events like seminars to support the school sector in capitalising on the existing foundation to enable students to learn about and respect the national flag, and encouraging teachers to make good use of learning and teaching resources in teaching.

Members of the public who wish to display the national flag or regional flag in public places or inside government buildings shall first submit applications to the departments concerned and comply with the requirements stipulated in relevant regulations and ordinances. In order to enhance festive atmosphere, District Offices (DOs) will demonstrate on the National Day this year, on a pilot basis, how to display the national flag and the regional flag, as well as banners and vertical banners with such designs in a proper, safe and orderly manner at 48 venues mainly managed by DOs (most of which are community centres or community halls).

Moreover, as local organisations may wish to display festive banners in celebration of the National Day and the HKSAR Establishment Day, the Home Affairs Department and the Lands Department have reviewed the existing arrangements and formulated procedures for handling applications by local or community organisations for displaying banners at designated spots under the Management Scheme for the Display of Roadside Non-commercial Publicity Materials. The two aforementioned arrangements aim to, on one hand, encourage local or community organisations and the public to celebrate these two important days, i.e. the National Day and the HKSAR Establishment Day, together, and express their patriotic feelings that are premised on the respect for the national flag, regional flag and their design; on the other hand, it can ensure that the activities are carried out in a lawful, orderly and safe manner (especially for road users). If members of the public or organisations would like to know more about the details of the two arrangements mentioned above, they are welcome to contact DOs for enquiries. The HKSAR Government also strongly encourages members of the public to actively participate in the said arrangements to together celebrate the major festive days of the country and of the HKSAR.