

LCQ4: Enhancing knowledge of the legal regime, laws and regulations of the Mainland

Following is a question by the Hon Starry Lee and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (May 31):

Question:

In the 2022 Policy Address, the Chief Executive announced that the Basic Law Promotion Steering Committee would be renamed the Constitution and the Basic Law Promotion Steering Committee ("CBLPSC"), and put forward further strengthening publicity and education on the Constitution and the Basic Law. There are views that Hong Kong people generally have insufficient knowledge of, and even misconceptions about the National People's Congress which enacts, amends and oversees the enforcement of the Constitution and the Basic Law, as well as the legal regime, laws and regulations of the Mainland. With more and more Hong Kong people going north for further studies, work, doing business and living, it is very important to enhance their knowledge and understanding of the legal regime, laws and regulations of the Mainland, which is also an important foundation for promoting exchanges and cooperation between Hong Kong and the Mainland. In this connection, will the Government inform this Council:

(1) whether it has assessed through surveys or other means the extent of Hong Kong people's knowledge of the legal regime, laws and regulations of the Mainland; if so, of the details; if not, the reasons for that;

(2) whether it will consider, by way of making legal education more accessible, fostering in Hong Kong society a better knowledge of the legal regime, laws and regulations of the Mainland; if so, of the details; if not, the reasons for that; and

(3) whether it will formulate with CBLPSC practicable publicity programmes to foster in Hong Kong society a better knowledge of the legal regime, laws and regulations of the Mainland; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the Department of Justice (DoJ) and the Education Bureau (EDB), the consolidated reply to Hon Starry Lee's question is as follows:

Under the chairmanship of the Chief Secretary for Administration, the Constitution and Basic Law Promotion Steering Committee (CBLPSC) mainly provides advice and steer on the overall strategy and key work plans for promoting the Constitution, the Basic Law and the National Security Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CBLPSC and its five working groups plan and organise various types of activities to promote, in a diversified manner, the Constitution, the Basic Law and the National Security Law to target sectors including teachers and students, civil servants, young people, and members of the local community, as well as the general public, with a view to facilitating all sectors in the community to deepen their understanding and raise their self-awareness of safeguarding the constitutional order of the Hong Kong Special Administrative Region (HKSAR), so as to ensure the full and faithful implementation of the "one country, two systems" principle. Related promotional and publicity measures include organising the Constitution Day Seminar, producing television and radio programmes such as "Root & Origin: The Constitution", "Talk About Basic Law With Photo" and "Basic Law Daily", providing training courses in relation to the Constitution and the Basic Law for teachers and civil servants, staging Constitution and Basic Law themed promotional activities including roving exhibitions and quizzes at districts and schools, etc.

To further strengthen the promotion of rule of law education at the community level, in February 2023, the DoJ established the Steering Committee on Rule of Law Education, chaired by the Secretary for Justice, to co-ordinate and collaborate in the promotion of rule of law education, including the launch of a new "Rule of Law Education Train-the-Trainers Programme" (TTT Programme), to strengthen the rule of law education and training in Hong Kong on all fronts and to promote consistent and correct messages on the rule of law at the community level. The establishment of the Steering Committee and the launch of the TTT Programme are among the key policy initiatives of the DoJ in the 2022 Policy Address.

The DoJ and the Steering Committee on Rule of Law Education are working intensively on the preparation of the TTT Programme. Focusing on the concept of the rule of law, the TTT Programme will develop curricula and teaching materials to introduce, in an easy-to-understand manner, fundamental topics relating to the rule of law and the legal system in Hong Kong under the principle of "one country, two systems", comprising, among others, the Constitution, the Basic Law, the National Security Law, the legal system of the Mainland and the general introduction of the common law system in Hong Kong. The TTT Programme is to train community leaders from different sectors to enhance their ability and effectiveness in disseminating correct messages on the rule of law to others in their diverse community work and capacities, with the aim of promoting rule of law education on all fronts. The DoJ will continue to collect views of the community through various channels, including the Steering Committee, and will assess the effectiveness of the TTT Programme in a timely manner for better promotion of the rule of law.

In addition, in order to enhance Government Counsel and private practitioners' knowledge and understanding of the country's legal and

judicial system, socio-economic situation and development directions, with the support of the Hong Kong and Macao Affairs Office of the State Council (HKMAO), the DoJ and Tsinghua University have jointly organised a total of four series of "The Fundamental Principles of Chinese Law" since 2020. Besides covering specialised legal knowledge on the national judicial system, civil law, criminal law and administration law, etc., the training course also deepens the trainees' understanding of the Basic Law and the National Security Law from the perspective of the Constitution and national security.

Since 2015, the DoJ has been operating the Summer Attachment Programme for Hong Kong Law Students in the Mainland to promote understanding of the Mainland legal system among Hong Kong law students. Under the programme, DoJ's summer interns will be attached to relevant legal, executive or judicial organs or other organisations in the Mainland. These include, for example, the Ministry of Foreign Affairs, the Ministry of Justice, the Supreme People's Court, the Supreme People's Procuratorate, the HKMAO, the China Council for the Promotion of International Trade, the China International Economic and Trade Arbitration Commission, etc. The programme gives an opportunity for Hong Kong law students to enhance their knowledge and understanding of the Mainland legal system, and broaden their horizons through first-hand experience.

Besides, the EDB has been fully supporting schools in planning and promoting national education within and beyond the classroom with curriculum covering the Constitution, the National People's Congress, and the legal system of the Mainland, etc., enabling students to become good citizens who have a sense of belonging to our country, show respect for the rule of law and abide by the law. For instance, the senior secondary Citizenship and Social Development has been implemented starting from the 2021/22 school year. Its curriculum comprises three themes, namely "Hong Kong under 'One Country, Two Systems'", "Our Country since Reform and Opening-up" and "Interconnectedness and Interdependence of the Contemporary World", and the content is closely related to our country's development. This subject enables students to develop a comprehensive and accurate understanding of topics relating to our country's development, the constitutional order established by the Constitution and the Basic Law, and national security, and provides them with Mainland study opportunities to gain a first-hand experience of Chinese history and culture, as well as understanding our country's current situation, geography, development and achievements.

With the HKSAR Government's commitment to promoting further integration into the overall development of the country, more Hong Kong people will go to the Mainland cities for education, employment, doing business and living. To help Hong Kong residents in the Mainland better understand Mainland policies and legislation, the Mainland Offices of the HKSAR (MOs) have been disseminating practical information on Mainland policies, laws and regulations and social situations on a regular basis, and organising trade seminars and business exchange activities etc. to keep Hong Kong's major industry and trade organisations as well as Hong Kong residents and enterprises in the Mainland informed of the latest policies, legislation and measures in the Mainland. Relevant information has been uploaded onto the

websites and social media platforms of respective MO for public browsing. Besides, the Practical Guide for Hong Kong People Living in the Mainland produced by MOs contains useful information on points to note for living in the Mainland and other information including the legal system and services in the Mainland. The Practical Guide has been made available to the public through MOs' websites.

At present, the HKSAR Government has not conducted any research studies on the knowledge of Hong Kong citizens about Mainland legislation. Yet, as mentioned above, the HKSAR Government will further strengthen the promotion of rule of law education in schools and at the community level to enhance public awareness and proper understanding of the rule of law, covering the Constitution, the Basic Law and the Mainland laws and regulations.

Thank you, President.