

SB's response to media enquiries

In response to media enquiries, a spokesman for the Security Bureau said today (October 3) that the Mutual Legal Assistance in Criminal Matters Ordinance does not apply to Taiwan.

The spokesman said, "Last year the Hong Kong Special Administrative Region (HKSAR) Government proposed to amend the Fugitive Offenders Ordinance and the Mutual Legal Assistance in Criminal Matters Ordinance to address this legal loophole. In response to the reactions of the community, the HKSAR Government withdrew the proposed amendments. Therefore, there is currently no law in Hong Kong that allows the HKSAR to handle legal assistance matters with Taiwan."

The spokesman stressed that the HKSAR Government cannot violate the law by providing relevant evidence on Chan Tong-kai's case to Taiwan. The HKSAR Government has already made multiple statements on this. It is irresponsible for a lawmaker who, despite clearly knows that Hong Kong has no legal basis to provide evidence to Taiwan, makes misleading remarks that make people think that the Government can do so.

"There are reports quoting that Taiwan has established a so-called 'single window' liaison point with Hong Kong. The HKSAR Government must point out that this is merely a unilateral description adopted by Taiwan. Taiwan had provided the Hong Kong Police with contact information that Chan Tong-kai could make use in contacting them. The Hong Kong Police had already relayed the information to Chan. The Hong Kong Police have not jointly established any so-called 'single window' liaison point with Taiwan and this does not involve any assistance on evidence. We call on Taiwan to genuinely follow the basic rule of law and actively facilitate Chan's surrender to Taiwan. The HKSAR Government will provide feasible arrangements to assist Chan in going to Taiwan in accordance with the law," the spokesman continued.