

Woman fined for operating unlicensed guesthouse

A woman was fined \$10,000 at Fanling Magistrates' Courts today (July 17) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in November last year, officers of the Office of the Licensing Authority (OLA), Home Affairs Department, inspected a suspected unlicensed guesthouse on Yat Ming Road in Fanling. The OLA officers posed as lodgers and successfully rented a room in the guesthouse on a daily basis.

According to the OLA's records, the guesthouse did not possess a licence under the Ordinance on the day of inspection. The woman responsible for operating the premises was charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and will lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaenq@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".

Transcript of remarks by S for S

Following is the transcript of remarks by the Secretary for Security, Mr John Lee, at a media session at Central Government Offices, Tamar, today (July 17):

Reporter: Secretary, can you interpret the Government's possible move to ban the operation of National Party as restricting the freedom of Hong Kong people, and whether all the Government is taking a more strict approach to the freedom of Hong Kong people as it is guaranteed by the Basic Law and ICCPR (International Covenant on Civil and Political Rights)?

Secretary for Security: First of all, the prohibition order hasn't been issued. As I explained earlier, I am giving 21 days to the Hong Kong National Party to give me written representations as to why they think that I should not give that order. So I will not make a decision before the expiry of the

21 days or after receiving their representations. That is the first point.

The second point is, yes, in Hong Kong we have freedom of association, but that right is not without restrictions. According to the Hong Kong Bill of Rights Ordinance, restrictions can be made by law if it is necessary in the interests of national security or public safety, public order, the protection of public health and morals, or the protection of the rights and freedom of others.

The wording of the Hong Kong Bill of Rights Ordinance is exactly the same wording of the provisions in the International Covenant on Civil and Political Rights. We are acting in accordance with the laws of Hong Kong.

Reporter: Is it the first time the Officer has made such recommendation for the Security Bureau to take action against a political party in Hong Kong? Will other political parties that advocate for Hong Kong independence or self-determination come under the same investigation or the same ban?

Secretary for Security: I will not comment on individual cases. Different cases, of course, have their own circumstances. But one principle is important, that any person or any society in Hong Kong, they must act within the laws. The responsible department will have a duty and the responsibility to take care of their matters in accordance with the laws of Hong Kong. This is the principle that we have emphasised many times and this is the principle that we use in each and every case.

Reporter: How will you ensure the recommendation made by the Police Force is not out of any political consideration?

Secretary for Security: First of all, the Societies Ordinance Section 8 states very clearly the considerations that the Societies Officer needs to take, so as to exercise or trigger the provision of Section 8 (of the Societies Ordinance). And the Section 8, as I have explained earlier, clearly states that the Societies Officer must reasonably believe that in the interests of national security, public security, public safety, prevention and protection of the rights and freedom of the others. In the interests of these things, then he can make the recommendation. All these considerations must be based on fact and evidence.

Reporter: Secretary, does it mean that in the future the Government will introduce the legislation on national security because the Government cannot simply ban the political parties because of national security?

Secretary for Security: First of all, I do not agree with your last comment. Anything we do must be in accordance with the laws of Hong Kong. If the law of Hong Kong says under some circumstances, we have a legal responsibility to take action, then we must act in accordance with the law. For whatever reasons that the law gives us to do whatever act, it must be based on fact, evidence, and rationality. That will be the principle we will adopt in our application of law.

The second point, the exercise of the procedure of Section 8 of the

Societies Ordinance has nothing to do with Article 23. For the laws in force in Hong Kong today, we have a responsibility and duty to act in accordance with the laws in force in Hong Kong. That is what we are doing now.

(Please also refer to the Chinese portion of the transcript.)

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