

## Two property owners fined over \$120,000 in total for not complying with removal orders

Two property owners who failed to comply with the removal orders issued under the Buildings Ordinance (BO) (Cap. 123) were convicted and fined over \$120,000 in total at the Shatin Magistrates' Courts and the Tuen Mun Magistrates' Courts last week.

The first case involved unauthorised structures with a total area of about 98 square metres erected in the yard and on the roof of a house at Sha Tin Heights of Tai Po Road, Sha Tin. As the unauthorised building works (UBWs) were carried out without the prior approval and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD in 2005, 2015 and 2020, and was fined over \$40,000 in total upon conviction at the Shatin Magistrates' Courts. As the owner persisted in not complying with the removal order, the BD instigated prosecution again. The owner was convicted and fined \$76,000 upon conviction at the Shatin Magistrates' Courts on November 1.

The second case involved a four-storey unauthorised village house with an area of about 27 sq m per storey at Nam Pin Wai, Yuen Long. Since the Lands Department would not issue a certificate of exemption for the building, it is not a New Territories Exempted House under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121). As the related UBWs were carried out without the prior approval and consent from the BD, a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD and was fined \$51,360 upon conviction at the Tuen Mun Magistrates' Courts on November 3.

A spokesman for the BD said today (November 10), "UBWs may lead to serious consequences. Owners must comply with removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with removal orders, including instigation of prosecution, so as to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.

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## Red flags hoisted at Big Wave Bay Beach and Clear Water Bay Second Beach

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (November 10) that due to big waves, red flags have been hoisted at Big Wave Bay Beach in Southern District, Hong Kong Island; and Clear Water Bay Second Beach in Sai Kung District. Beachgoers are advised not to swim at these beaches.

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## Speech by CE at Hong Kong Legal Week 2023: Rule of Law for the Future (English only)

Following is the speech by the Chief Executive, Mr John Lee, at the Hong Kong Legal Week 2023: Rule of Law for the Future today (November 10):

Deputy Director Liu Guangyuan (Deputy Director of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (HKSAR)), Honourable Mr Justice Poon (the Chief Judge of the High Court), ladies and gentlemen,

Good morning. It gives me great pleasure to speak to you today at the "Rule of Law for the Future" conference, the last of Hong Kong Legal Week's five fruitful days of events.

This year's Legal Week, I'm pleased to note, has attracted some 11 000 participants, in person and online.

And I know I'm speaking this morning to an audience that lives and breathes the rule of law: eminent judges and legal practitioners, distinguished business leaders engaged, in the maritime and aviation sector, in finance, intellectual property, art and numerous other business areas. Each and every one of you counting on the rule of law and the confidence it instils in businesses and investors from Hong Kong, throughout the region and

around the world.

"Connecting the World" is the central theme of this year's Legal Week. And Hong Kong has what it takes to drive connectivity for the region and beyond.

Under the unique "one country, two systems" principle, we are seamlessly connected to the world, while enjoying our country's unwavering support. Our bilingual common law system, with its strong and longstanding heritage, and a judiciary that exercises its power independently, is well-regarded internationally.

As China's only common law jurisdiction, Hong Kong will continue to play to its unique strengths, and serve as the central conduit between the Mainland and the rest of the world.

Firmly enshrined under the Basic Law, Hong Kong's rule of law protects both businesses and the community, ensuring Hong Kong's long-term prosperity and stability.

In this year's Rule of Law Index, published by the World Justice Project, Hong Kong came 23rd out of 140 countries and jurisdictions. It places us firmly in the top quintile of the world, in terms of the rule of law.

Thanks to the rule of law, and our sound legal system, Hong Kong has long been recognised as one of the world's freest economies. In the World Competitiveness Yearbook this year, Hong Kong is ranked as the seventh most competitive economy in the world. In the report, our ranking in "business legislation" came first in the world.

Our acknowledged legal prowess will bring us immense opportunities. It will bring about a bright future, premised on the rule of law.

Hong Kong is determined to help drive the Guangdong-Hong Kong-Macao Greater Bay Area (GBA)'s international success with our established legal services. As I noted in my Policy Address which I delivered two weeks ago, we will work to extend the adoption of Hong Kong law and the use of our dispute resolution services, to Mainland companies and their contracts.

That's why I'm pleased to see that, for the first time, exhibition booths dedicated to our legal services, as well as those of Macao and the GBA's nine Mainland cities, have been set up just outside Legal Week's main venue.

The Legal Week's "Gateway to the Opportunities in the GBA" event, yesterday, included a mock court session promoting legal regulatory connectivity among the GBA's three jurisdictions: Guangdong, Macao and Hong Kong. They help to promote to the world the diverse, yet complementary, services our "nine plus two" cities could provide.

The rule of law, coupled with our common law system, also makes possible Hong Kong's development as a centre for international legal and dispute resolution services in the Asia-Pacific region, which are highly welcomed. It will also propel our status as an international financial, shipping and trade centre.

As you know, legal organisations such as the Hague Conference on Private International Law, the Asian-African Legal Consultative Organization Hong Kong Regional Arbitration Centre, and the International Organization for Mediation Preparatory Office, have established their presence in Hong Kong.

And we work, hand in hand, with prominent international organisations in promoting legal co-operation.

The UN Commission on International Trade Law, for instance, has just held its fifth Asia Pacific Judicial Summit here on the first day of this Legal Week.

All of these, ladies and gentlemen, showcase how Hong Kong, as a liberal city with a solid basis of the rule of law, can thrive as a platform for regional, and international, exchange and collaboration on jurisprudence and legal services.

Opportunity is one thing. Realising it is another thing entirely. For that, we need a continuing flow of talent. Strategic, wide-ranging talent. In my Policy Address, I announced the establishment of the Hong Kong International Legal Talents Training Academy. We have the potential and the promise to rise as a regional centre for capacity building.

Taking good advantage of our talent base and co-operation with international organisations, we will develop practical training courses and exchange programmes with countries and regions along the Belt and Road. We will also train specialists, from around the world, in foreign-related legal affairs and international law, common law, civil law, as well as the Chinese legal system.

Speaking of nurturing talents, I'm pleased to note that a panel discussion, this afternoon, focuses on "Youth Empowerment through Rule of Law Education". Speakers will include both secondary and university students, as well as secondary school teachers and others with a professional interest in rule of law education.

Of course, we all have an interest in rule of law education. We must all work together to educate our youth and bring up our next generation to become law-abiding citizens with global perspectives, as well as a sense of affection for our country and our Hong Kong home.

This future generation of talents, ladies and gentlemen, will ensure the sustainability of Hong Kong's development, long down the broad road of the rule of law.

I'm grateful to the Department of Justice (DoJ) of the HKSAR Government for, once again, organising a successful Hong Kong Legal Week.

The DoJ will, I'm confident, continue to play a meaningful role in enhancing Hong Kong's connectivity at all levels, contributing to the development of our city and the country, as well as helping to build a global community with a shared future.

On that note, I wish you all a rewarding conference today, and the best of business, and the rule of law, in the coming year. Thank you very much.

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## **399 candidates determined to be validly nominated for 2023 District Council Ordinary Election**

In accordance with section 10B of the District Councils Ordinance (Cap. 547), the District Council Eligibility Review Committee (DCERC) is responsible for reviewing and confirming the eligibility of any person proposed to be appointed as a DC member, registered as an ex-officio member, or nominated as a candidate for DC elections. The DCERC will decide whether the person concerned can meet the legal requirements and conditions of upholding the Basic Law of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China (PRC) and bearing allegiance to the HKSAR of the PRC.

The nomination period for the 2023 District Council Ordinary Election, which began on October 17, ended on October 30. The Returning Officers for the 18 District Committees constituencies (DCCs) and 44 District Council geographical constituencies (DCGCs) received a total of 399 nomination forms during the nomination period (excluding one nominee who withdrew from the election). The DCERC has finished reviewing the nominations of 399 candidates. The DCERC considered that all candidates meet the legal requirements and conditions for upholding the Basic Law and bearing allegiance to the HKSAR of the PRC, and determined their nominations as valid.

The DCERC published a notice in the Gazette today (November 10), with names, addresses and candidate numbers of 399 candidates who were determined to be validly nominated in fulfilment of the legal requirement.

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## [HKETONY strengthens ties in Atlanta](#) [\(with photos\)](#)

The Director of the Hong Kong Economic and Trade Office in New York, Ms Maisie Ho, paid a duty visit to Atlanta, Georgia, on November 8 and 9 (Atlanta time) to strengthen ties with the local government and business interlocutors.

Ms Ho also attended the AAPI Business Forum on opportunities in Asia, co-organised by the Hong Kong Association of Atlanta and Metro Atlanta Chamber this morning (November 9, Atlanta time), during which she highlighted Hong Kong's unique advantages and the abundant opportunities for multinational companies.

Addressing executives from the business, finance and legal sectors, Ms Ho said that Hong Kong continues to be a leading international finance centre and prime investment hub.

"With our strategic location, supreme connectivity, robust legal and financial systems, and business-friendly policies as backed up by the 'one country, two systems' principle, Hong Kong is one of the world's top four international financial centres, and is a dominant gateway to Mainland China and other Asian markets," she said.

Ms Ho also pointed out that Hong Kong, well known for its resilience and agility, continues to find its growth drivers despite the macro challenges, including being Asia's biggest international listing venue for new economy and biotech companies, and a leader in green and sustainable finance, accounting for one-third of green and sustainable bonds issued in Asia.

During her stay in Atlanta, Ms Ho met with local business and government officials to discuss areas of mutual interest. The officials included the Vice President, Global Commerce at the Metro Atlanta Chamber, Mr John Woodward; the Deputy Commissioner for International Trade of the Georgia Department of Economic Development, Ms Mary Waters; and the Executive Director of the Mayor's Office of International Affairs, Ms Vanessa Ibarra.



