

## [HKSAR Government delegates to attend UNHRC meeting](#)

The Deputy Secretary for Justice, Mr Cheung Kwok-kwan, will depart Hong Kong for Geneva, Switzerland, this afternoon (March 17) to attend the 55th regular session of the United Nations Human Rights Council (UNHRC). Mr Cheung will be joined by representatives of the Department of Justice, the Security Bureau and the Constitutional and Mainland Affairs Bureau.

The Hong Kong Special Administrative Region Government officials will attend the meeting as members of China's delegation.

Mr Cheung will leave Switzerland for Hong Kong on March 21.

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## [Liquor Licensing Board to meet on Tuesday](#)

The following is issued on behalf of the Liquor Licensing Board:

The Liquor Licensing Board will meet on Tuesday (March 19) to consider an application for renewal of a liquor licence.

The application is:

New Territories:

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"Chan Kee" in Tai Po

The meeting will be held at 9.45am in the conference room, Room 102, 1/F, 258 Queen's Road East, Wan Chai. Members of the public are welcome to attend.

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## [Smart tech enhances tree care](#)

The Leisure and Cultural Services Department (LCSD) manages thousands of trees across the city's parks, playgrounds and roadsides, and applies smart technology to enhance the efficiency of tree inspections.

News.gov.hk spoke to two LCSD staff to find out about the innovative technologies used in their work and the importance of proper tree maintenance.

The story is available at [www.news.gov.hk/eng/feature](http://www.news.gov.hk/eng/feature) today (March 17) in text and video format.

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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 (March 17) 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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## **Secretary for Security emphasises common practice for legislature to delegate power to make subsidiary legislation in common law system**

Regarding media concerns over the empowerment of the Chief Executive-in-Council (CE-in-C) to make subsidiary legislation on safeguarding national security in the amendments to the Safeguarding National Security Bill, the Secretary for Security, Mr Tang Ping-keung, on March 16 explained further the issue and emphasised that it is a long-standing practice in the common law system for the legislature to empower the executive authorities to make subsidiary legislation for the effective implementation of the requirements of the primary legislation. Members of the public do not need to be concerned.

Mr Tang said, "It is a common practice in the common law system to leave detailed and technical matters of the primary legislation, such as

implementation details, administrative matters, matters which require the executive authorities' continuous review and improvements or which need timely enactment or amendments, to be set out in subsidiary legislation. Other jurisdictions, such as the United Kingdom and the United States, also have similar practice. It is also very common in Hong Kong legislation for the Legislative Council to delegate power to the executive authorities to make subsidiary legislation for the effective implementation of the primary legislation. Since January 1, 2024, more than 20 pieces of subsidiary legislation have been made. For example, in accordance with the relevant requirements for the pilot scheme of the project on autonomous vehicles set out in the Road Traffic Ordinance (Cap. 374) which is a piece of primary legislation, the Secretary for Transport and Logistics made the subsidiary legislation, the Road Traffic (Autonomous Vehicles) Regulation, to regulate matters relating to licences, certificates, tests, inspections and risk management of autonomous vehicles under the pilot scheme. Another example is the Massage Establishments (Amendment) Regulation 2024, a piece of subsidiary legislation made by the CE-in-C under the Massage Establishments Ordinance (Cap. 266), which is a piece of primary legislation setting out the licence requirements. The Regulation sought to increase the fees payable for issuing or renewing licences for massage establishments.

"Comprehensive measures to safeguard national security require the empowerment of the executive authorities to formulate implementation details and administrative matters. Moreover, national security risks can emerge all of a sudden and cannot be predicted at the moment. By empowering the CE-in-C to make subsidiary legislation to set out the implementation details as required by the Hong Kong National Security Law (NSL) and its interpretation, as well as the Safeguarding National Security Ordinance, the mechanism to safeguard national security can be implemented more effectively, and the national security risks can be prevented and addressed timely."

Mr Tang pointed out, "Subsidiary legislation has to be made in accordance with the requirements of the primary legislation. Its content must not exceed the scope of the matters regulated under the primary legislation. Section 28(1)(b) of the Interpretation and General Clauses Ordinance (Cap. 1) clearly stipulates that no subsidiary legislation shall be inconsistent with the provisions of any ordinance. Moreover, subsidiary legislation will be laid on the table of the Legislative Council for negative vetting in accordance with section 34 of the Interpretation and General Clauses Ordinance (Cap. 1). The Legislative Council can, by resolution, make amendment to or even repeal the subsidiary legislation. Therefore, the power to make subsidiary legislation is under effective checks and balances."

Mr Tang said, "I also take this opportunity to express my gratitude to various sectors in society and members of the public for their support for the Bill. Organisations and associations of different sectors, including the five major chambers of commerce (the Hong Kong General Chamber of Commerce, the Chinese Manufacturers' Association of Hong Kong, the Federation of Hong Kong Industries, the Chinese General Chamber of Commerce, Hong Kong, and the Hong Kong Chinese Importers' & Exporters' Association), the legal sector, the media sector, the youth sector, other professional sectors and political

parties also voiced support for the early passage of the Bill in the Legislative Council. During the public consultation, 98.6 per cent of the views received showed support and gave positive comments, reflecting a strong consensus in society for the legislation of Article 23 of the Basic Law and it is also the aspiration of the people.

"I also thank the President of the Legislative Council and its members for their full co-operation on the legislative work. I hope that second reading debate can resume as soon as possible. The earlier the legislation is completed, the earlier national security gets better safeguard, enabling Hong Kong to press ahead with boosting the economy and striving for development."