

Transcript of remarks by CS at media session (with photo)

Following is the transcript of remarks by the Chief Secretary for Administration, Mr John Lee, on the determination results of the Candidate Eligibility Review Committee at a media session today (August 26):

Reporter: Can you explain what was the reason for disqualifying Cheng Chung-tai from the election and stripping him off his LegCo (Legislative Council) seat? And also, who was the other person being disqualified? Could you also explain how did Mr Cheng defend himself in his reply? And secondly, with fewer than half of the 1 500 seats in the Committee to be returned by election, how representative do you think that this coming election will be? Thank you.

Chief Secretary for Administration: First of all, the way that the Candidate Eligibility Review Committee will do the review is to look at the list of actions that has been stipulated in the law regarding what action will be considered as not upholding the Basic Law and not bearing allegiance to the Hong Kong SAR (Special Administrative Region). In considering and making a decision as to whether a candidate passed the review, we will look at his previous acts and statements, what a candidate has written about, including books and articles, and also whether he has done any act which is in contradiction to the list that is stipulated in the law. In appropriate cases we will also write to the candidate to ask for extra information and allow him to explain. When the candidate's reply is received, then the Committee will consider the reply and explanation and then consider all the information that the Committee has, comparing to the acts that the law has already described as typical of not complying with the requirement of upholding the Basic Law and not bearing allegiance to the Hong Kong SAR. Then we come to a decision. When there is a need, then the Committee will seek the opinion of the national security committee (Committee for Safeguarding National Security of the Hong Kong Special Administrative Region). That's the way that the Committee will do its review.

In regard to Cheng Chung-tai, I have explained earlier that we have written to him to ask him to provide further information and explanation for some specified matters. After considering his reply, the committee looked at his case holistically and came to a decision that we need to seek an opinion of the national security committee. The national security committee then gave us an opinion to indicate that he hasn't complied with the requirement of upholding the Basic Law and bearing allegiance to the Hong Kong SAR. On that basis, we have come to the determination that Cheng Chung-tai hasn't fulfilled the legal requirement of upholding the Basic Law and bearing allegiance to the Hong Kong SAR, and we have already sent notification to him. As regards his losing his LegCo seat, this is in accordance with a Decision by the NPC (National People's Congress) Standing Committee earlier on November 11, 2020, and also in accordance with the LegCo regulation

(Legislative Council Ordinance). We will be publishing a (notice in the) gazette to that effect.

Regarding the coming election, I think it is very clear when the NPC Standing Committee made the Decision as to the way how Hong Kong elections should proceed, yes, we made clear that it will be a broadly representative system, and it will be a progressive system, and it will be including representatives from more sectors so as to make it a more practical and realistic system to reflect the interests of various sectors, and the sectors have been expanded. Every place has its own route and its direction, and the election route has already been stipulated in the Basic Law Annex I and Annex II. It is in accordance with the actual situation of Hong Kong, and that is what the Basic Law says. The election system should take into (account) prevailing circumstances and it is a system that we will ensure that we will put in place. For example, in the election that will take place soon for the Election Committee, we'll ensure that it will be conducted fairly, impartially and also free of any corruptive practice.

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

