



The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region

**Preserve One Country, Two Systems
Restore Stability**



The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region

Declaration: This booklet introduces the background to the enactment of *The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region*, outlines the main content and answers some common questions in respect of the Law. For the comprehensive details of the Law, please refer to the full text of the Law that has been uploaded to the government website or press this QR code.

Foreword

Fellow Hong Kong citizens,

As we celebrate the 23rd anniversary of the establishment of the Hong Kong Special Administrative Region (“HKSAR”) of the People’s Republic of China (“PRC”), the National People’s Congress (“NPC”) Standing Committee has passed “The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region” (“the National Security Law”) and listed the legislation in Annex III to the Basic Law in accordance with Article 18 of the Basic Law. The legislation has also been applied by way of promulgation in the HKSAR on the same day. It is a historical step to improve the system for Hong Kong to safeguard our country's sovereignty, territorial integrity and security. It sets out a clear direction to help “One Country, Two Systems” get back on track, and represents an essential and timely decision for restoring stability in Hong Kong.

Over the past month or so, Mainland officials and legal experts, my governing team and I, local political and business leaders and members from various sectors of society have explained from different perspectives that it is constitutional, lawful, rational and reasonable for the Central Authorities to enact legislation for Hong Kong to safeguard national security. The enactment of legislation will not affect the high degree of autonomy, judicial independence and the rule of law in Hong Kong. The Department of Justice will continue to be free from interference in its criminal prosecution work. The legitimate rights and interests of Hong Kong citizens will not be undermined. The legislation only targets an extremely small minority of persons committing the four types of crimes that seriously endanger national security under the National Security Law, and protects the lives and property, basic rights and freedoms of the vast majority of citizens.



The enactment of a national security law for Hong Kong by the Central Authorities at the national level has drawn a plethora of defamatory remarks and malicious attacks from organisations and individuals at home and abroad accompanied with the usual smears and demonisation. Amid this, I urge everyone to pause and think. Who other than the Central People's Government (CPG) and the HKSAR Government are steadfastly determined in ensuring the effective implementation of "One Country, Two Systems"? Over the past 23 years, isn't it our country, instead of foreign states or external forces, which has been supporting Hong Kong's development into an international financial, transport and trading centre? In recent years, who has been disregarding Hong Kong people's interests by blatantly advocating "Hong Kong independence", "self-determination" and "referendum", and pleading for interference in Hong Kong's affairs by foreign governments or even sanctions against Hong Kong? These destructive acts and activities have turned Hong Kong into a gaping hole in our country's national security. Our city's prosperity and stability are also at risk.

The National Security Law is the turning point for Hong Kong to find a way out of the impasse and restore order from chaos. The HKSAR Government has the major responsibility in the implementation of the National Security Law, and will spare no effort in fulfilling it. By establishing and improving the legal system and enforcement mechanisms to safeguard national security, Hong Kong will be able to stay clear of riots and return to stability. Together, we can relaunch Hong Kong and take forward the city's development.

Carrie Lam
Chief Executive
Hong Kong Special Administrative Region



中华人民共和国第十三届全国人民代表大会第三次会议



Background

- The HKSAR is an inalienable part of the PRC.
- The HKSAR shall be a local administrative region of the PRC, which shall enjoy a high degree of autonomy and come directly under the CPG.
- National laws relating to defence and foreign affairs as well as other matters outside the limits of the autonomy of the HKSAR under the Basic Law may be listed in Annex III to the Basic Law, and any law so listed shall be applied locally by way of promulgation or legislation by the HKSAR.
- National security is a matter within the purview of the Central Authorities. Whether it is a unitary or federal state, legislation on national security is invariably carried out by the central authorities rather than local governments.
- The NPC is the highest organ of state power, and its decisions have the highest legal effect. In order to uphold national unity and territorial integrity, maintain the prosperity and stability of Hong Kong, and by taking account of Hong Kong's history and realities, the PRC has established the HKSAR in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China (Constitution of PRC). Pursuant to Article 62 of the Constitution of PRC, the systems to be instituted in the HKSAR shall be prescribed by law enacted by the NPC and the NPC exercises the power to supervise the enforcement of the Basic Law.

- Article 23 of the Basic Law is a provision on the relationship between the Central Authorities and the HKSAR. It stipulates that Hong Kong “shall enact laws on its own” to prohibit seven types of acts and activities that endanger national security. It is an obligatory provision rather than a clause on delegation of power. It demonstrates the confidence the Central Authorities have in the HKSAR, but this act of faith does not mean that the Central Authorities have given up their power in national security matters which are under their purview.
- Safeguarding national security through legislation is in line with international practice. Under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights as well as the constitutions of most countries around the world, it is clearly stipulated that restrictions can be imposed by law on certain basic rights and freedoms of individuals for the purpose of safeguarding national security.
- The Basic Law of the Macao Special Administrative Region contains an article identical to Article 23. The Macao SAR completed local legislation in 2009 and established the National Security Committee in 2018.
- In 2003, the HKSAR Government introduced the National Security (Legislative Provisions) Bill to implement Article 23 of the Basic Law, but to no avail. Since then, enactment of local legislation on national security has been severely smeared and demonised by some people with ulterior motives, making it difficult for the HKSAR Government to commence the relevant work. As a result, Hong Kong has long been “defenceless” in terms of safeguarding national security and hence facing considerable risks.





Recent Developments

- “One Country, Two Systems” is the best institutional arrangement to ensure Hong Kong’s long-term stability. Nevertheless, its implementation has faced a number of new issues in recent years, including challenges to the relationship between the HKSAR and the Central Authorities, the rise of “nativism” and “Hong Kong independence” imbued with anti-China sentiment, and social unrest directly or indirectly induced by opposition to Government policies, such as the “anti-national education campaign” in 2012, the “occupy movement” in protest of the political reform in 2014, the “Mong Kok riot” in 2016, disturbances arising from the opposition to the proposed legislative amendments to the Fugitive Offenders Ordinance in 2019, etc. Such acts and activities have severely undermined social order, maliciously spreading radical ideas and weakened the law-abiding awareness of Hong Kong citizens, especially the young people.
- Since the onset of the disturbances arising from the opposition to the proposed legislative amendments to the Fugitive Offenders Ordinance in June last year, the Hong Kong community has been traumatised. Violence by rioters has escalated, with illegal firearms and explosives posing a terrorist threat. The opposition forces and organisations advocating “Hong Kong independence” and “self-determination” have blatantly challenged the authority of the Central Authorities and the HKSAR Government, pleaded for interference in Hong Kong’s affairs by external forces and even begged for sanctions against Hong Kong and thus disregarding the interests of Hong Kong people and our country. Meanwhile, external forces have intensified their interference in Hong Kong’s internal affairs, passed laws relating to Hong Kong’s human rights, democracy or autonomy, and flagrantly glorified the illegal acts of radicals, all of which seriously jeopardise our nation’s sovereignty, security and development interests.



- The situation in Hong Kong has evolved to such a state that the Central Authorities have no alternative but to step in and take action. With the adoption of the “Decision of the National People’s Congress on Establishing and Improving the Legal System and Enforcement Mechanisms for the Hong Kong Special Administrative Region to Safeguard National Security” at the Third Session of the 13th NPC, the NPC Standing Committee has been authorised to enact the relevant law. Pursuant to the authorisation and taking into account the actual circumstances of Hong Kong as well as feedback from the HKSAR Government and all sectors of the community, the NPC Standing Committee passed “The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region” at its 20th meeting on 30 June for inclusion in Annex III to the Basic Law according to Article 18 of the Basic Law. The law was gazetted and took effect on the same day in the HKSAR.

Main Content of the Law

Purpose of Legislation Clearly Stated

- To fully and faithfully implement the principles of “One Country, Two Systems”, “Hong Kong people administering Hong Kong” and a high degree of autonomy, to safeguard national security, and to prevent, suppress and punish crimes related to the HKSAR, namely acts of secession, subversion of state power, organising and carrying out terrorist activities, and collusion with foreign or external forces to endanger national security.

Protection of Human Rights and Freedoms

- The National Security Law clearly stipulates that the HKSAR shall protect Hong Kong people’s rights and freedoms under the Basic Law as well as the relevant provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration.

Effective Realisation of the Rule of Law

- The following are the important principles of the rule of law that should be adhered to, including:
 - Conviction and sentencing of crimes should be well defined in the law: a person who commits an act which constitutes an offence under the law shall be convicted and punished in accordance with the law. No one shall be convicted and punished for an act which does not constitute an offence under the law.
 - Presumption of innocence: a person is presumed innocent until convicted by a judicial body.

- Non bis in idem: no one shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted in judicial proceedings.
- Right to a fair trial: the right to defend himself or herself and other rights in judicial proceedings that a criminal suspect, defendant and other parties in judicial proceedings are entitled to under the law shall be protected.
- Non-retrospectivity: the National Security Law applies only to acts after its commencement.

The Duties and the Government Bodies of the HKSAR for Safeguarding National Security

- The CPG has an overarching responsibility for national security affairs relating to the HKSAR.
- The HKSAR has the constitutional duty to safeguard national security and it shall perform the duty accordingly – the executive authorities, the legislature and the judiciary should effectively prevent, suppress and punish acts and activities that endanger national security in accordance with the relevant laws.
- The HKSAR shall complete as early as possible legislation for safeguarding national security as stipulated in the Basic Law and shall refine the relevant laws.
- A Committee for Safeguarding National Security of the HKSAR chaired by the Chief Executive shall be established to assume primary responsibility for safeguarding national security in the HKSAR. It shall be under the supervision of and be accountable to the CPG.

Full Realisation of the rule of law

- Conviction and sentencing of crimes shall be well defined in the law
- Presumption of innocence
- Protection against double jeopardy
- Fair trials
- No retrospective power



- Members of the Committee include: the Chief Secretary for Administration, Financial Secretary, Secretary for Justice, Secretary for Security, Commissioner of Police, the head of the department for safeguarding national security of the Hong Kong Police Force established under Article 16 of the National Security Law, Director of Immigration, Commissioner of Customs and Excise, and the Director of the Chief Executive's Office. The Secretariat under the Committee is to be headed by the Secretary General, who shall be appointed by the CPG upon nomination by the Chief Executive.
- The duties of the Committee for Safeguarding National Security of the HKSAR are to analyse and assess developments in relation to safeguarding national security in HKSAR, make work plans and formulate policies, advance the development of the legal system and enforcement mechanisms, and co-ordinate major work and significant operations.
- The Committee shall be free from any interference in performing its duties and information relating to its work shall not be disclosed to the public. Decisions made by the Committee shall not be amenable to judicial reviews.
- The Committee for Safeguarding National Security of the HKSAR shall have a National Security Advisor, who shall be designated by the CPG. The National Security Advisor shall sit in on meetings of the Committee and provide advice on relevant matters.
- As the principal enforcement authorities of the National Security Law, the Hong Kong Police Force and the Department of Justice of the HKSAR Government shall set up dedicated divisions to handle national security affairs.

- The Financial Secretary shall, upon approval of the Chief Executive, appropriate from the general revenue a special fund to meet the expenditure for safeguarding national security and approve the establishment of relevant posts, which are not subject to any restrictions in the relevant provisions in existing laws. The Financial Secretary shall submit an annual report on the control and management of the fund for this purpose to the Legislative Council.

Stipulation of Four Types of Crimes that Endanger National Security and their Penalties

- National security covers a wide scope of issues. Apart from traditional security subjects such as political security, territorial security and military security, it also includes financial security, biosecurity and cyber security. The purpose of the National Security Law is to address the most serious and prominent risks in Hong Kong at present, and only targets an extremely small minority of law offenders.
- Chapter 3 of the National Security Law, Offences and Penalties, provides the specific elements of crime and corresponding penalties, as well as other penalties and their spheres of validity in respect of four types of crimes, namely secession, subversion of state power, terrorist activities and collusion with foreign or external forces to endanger national security.
- For details, please refer to the relevant provisions (Articles 20 to 39) of the National Security Law uploaded onto the Government's website.

Stipulation of the Jurisdiction of Cases, Applicability of the Law and Legal Procedures

- Except in specified circumstances, the HKSAR has jurisdiction over cases concerning offences under the National Security Law. For cases under HKSAR's jurisdiction, the National Security Law and the laws of the HKSAR shall apply to procedural matters, including those related to criminal investigation, prosecution, trial and execution of penalty.
- In handling national security cases, the department responsible for safeguarding national security under the Hong Kong Police Force may take measures that it is allowed to take in investigating serious crimes under the laws in force in the HKSAR or other stipulated measures under the National Security Law, including to carry out interception of communication and covert surveillance upon approval of the Chief Executive on a person who is suspected, on reasonable grounds, of having involved in the commission of an offence endangering national security, search of premises, requiring relevant organisations or individuals to answer questions and provide or delete information, etc. Under the National Security Law, the Committee for Safeguarding National Security of the HKSAR shall be authorised to make relevant implementation rules for the purpose of applying the above measures.
- A dedicated department under the Department of Justice is responsible for the prosecution of national security offences. Without the written consent of the Secretary for Justice, prosecution of a national security case shall not be instituted. The Secretary for Justice may, for such reasons as protecting national secrets, issue certification to direct that the relevant case shall be tried without a jury. Where a case is to be tried in the Court of First Instance without a jury, a Court consisting of three judges should be constituted.

- Judges designated from courts at all levels are responsible for hearing cases involving offences endangering national security. Unless national secrets are involved, the trial shall be held in open court and all judgements be announced to the public. The “designated judges” are to be designated from judges of courts at all levels by the Chief Executive who may consult the Committee for Safeguarding National Security of the HKSAR and the Chief Justice of the Court of Final Appeal before doing so.
- Specified circumstances refer to any one of the following three kinds of situations that has been reported to the CPG for approval by the HKSAR Government or the Office for Safeguarding National Security of the CPG in the HKSAR:
 1. the case is complex due to the involvement of a foreign country or external elements, thus making it difficult for the HKSAR to exercise jurisdiction over the case;
 2. a serious situation occurs where the HKSAR Government is unable to effectively enforce the National Security Law; or
 3. a major and imminent threat to national security has occurred.
- In the above situations, the office of the CPG in the HKSAR on national security (see below) shall exercise jurisdiction over cases under the National Security Law. In exercising jurisdiction, the office shall initiate investigation into the case, the Supreme People’s Procuratorate shall designate a prosecuting body to prosecute it, and the Supreme People’s Court shall designate a court to adjudicate it.

The office of the CPG in the HKSAR on national security

- The CPG will set up the Office for Safeguarding National Security of the CPG in the HKSAR. The Office shall be responsible for analysing and assessing developments in relation to safeguarding national security in the HKSAR and providing opinions and making proposals on major strategies and important policies for safeguarding national security; overseeing, guiding, coordinating with and providing support to the HKSAR in the performance of its duties for safeguarding national security; collecting and analyzing intelligence and information concerning national security; and handling cases concerning offences endangering national security in accordance with the National Security Law under specified circumstances (see above).
- The staff of the Office shall abide by national laws as well as the laws of the HKSAR, and shall be subject to the supervision of the national supervisory authorities.
- The Office shall establish a mechanism of coordination with the Committee for Safeguarding National Security of the HKSAR and shall establish mechanisms for collaboration with the relevant authorities of the HKSAR to enhance information sharing and operations coordination.
- The Office shall be funded by the CPG.

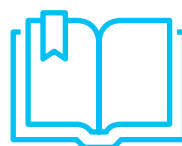
Frequently Asked Questions

1

For the Central Authorities to step in and enact legislation for the HKSAR to safeguard national security, would it contravene Article 23 of the Basic Law and undermine the principle of “One Country, Two Systems”?

The answer is definitely no. National security has always been a matter that falls under the purview of the Central Authorities. Article 23 of the Basic Law stipulates that Hong Kong “shall enact laws on its own” to prohibit seven types of acts and activities that endanger national security. Nevertheless, it has been 23 years since the handover of Hong Kong and yet the enactment of legislation under Article 23 has not been completed. Recent development of Hong Kong’s situation since June last year has fully exposed the legal loopholes and real risks in Hong Kong in safeguarding national security. It is impossible for the Central Authorities to turn a blind eye to the situation.

It is the obligation of all central authorities to safeguard national security, and to protect the lives, property, rights and freedoms of the people. Article 3 of the “Decision on Establishing and Improving



the Legal System and Enforcement Mechanisms for the HKSAR to Safeguard National Security” passed by the NPC on 28 May stresses that the HKSAR must complete the national security legislation stipulated in the Basic Law as early as possible. The National Security Law reiterates that the HKSAR should fulfil its responsibility of completing the enactment of legislation under Article 23. Upon the completion of legislative work, the National Security Law enacted by the NPC Standing Committee and the legislation of the HKSAR will together constitute the legal protection framework for safeguarding national security in the HKSAR.

The Central Authorities unswervingly uphold the principle of “One Country, Two Systems”. Hong Kong society must understand the relationship between “One Country” and “Two Systems” properly. “One Country” is the foundation for “Two Systems”, and this foundation will be seriously shaken if territorial integrity is compromised and national security is at risk. On the contrary, the stronger the bottom line for national security is, the greater the room for development under “One Country, Two Systems” will be.

2

Will the National Security Legislation impair the basic rights and freedoms of procession, of demonstration, of the press, and of speech, among others, enjoyed by Hong Kong residents?

No. The National Security Law seeks to impose shackle on only four types of acts and activities that seriously endanger national security. It targets an extremely small minority of people without adversely affecting the basic rights and freedoms legitimately enjoyed by Hong Kong citizens. When exercising these rights, Hong Kong residents or journalists need not worry as long as they do not contravene the offences of secession, subversion of state power, organisation and carrying out terrorist activities and collusion with foreign or external forces that endanger national security as defined under the law.

It is clearly stipulated under the National Security Law that the principle of respecting and protecting human rights shall be upheld in safeguarding national security and the legitimate rights of Hong Kong citizens to exercise their freedom of speech, such as making general remarks criticising government policies or officials, should not be compromised.

It is however relevant to note that under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights as well as the constitutions of most countries around the world, it is clearly stipulated that certain basic rights and freedoms of individuals can be restricted through legislation for the purpose of safeguarding national security.



The National People's Congress Decision to enact legislation to safeguard national security for the HKSAR

- Targeting an extremely small minority of acts and activities endangering national security
- Protecting the life and property, basic rights and freedoms of the overwhelming majority of citizens

Hong Kong citizens will continue to enjoy the legitimate freedom of speech, of the press, of assembly, of demonstration, of procession, and to enter or leave Hong Kong



3

The National Security Law targets collusion with foreign or external forces. Will the law affect activities between Hong Kong citizens, organisations or corporations and their foreign counterparts in regard to academic exchanges, religious contacts, cultural interchanges, trade and investment, etc?

No. The basic rights and freedom of Hong Kong citizens, including freedom to enter or leave the HKSAR, freedom of conscience, freedom to engage in academic research, literary and artistic creation, and other cultural activities, are protected by the Basic Law and will not be affected. The national security offence of colluding with foreign or external forces as stipulated under the National Security Law only refers to specific acts, which have been clearly defined under the law. It will not affect the normal exchange activities between individuals, organisations or corporations and their foreign or external counterparts, neither will it cause anyone to breach the law inadvertently.



4

Why is it that the HKSAR only shoulders the primary but not the full responsibility for safeguarding national security? Why does the Central Authorities still retain jurisdiction over certain cases under “specified circumstances”?

National security is a matter within the purview of the Central Authorities. In all sovereign states, the central government shoulders the prime responsibility for national security and is responsible for the centralised management of national security matters.

In implementing “One Country, Two Systems”, “Hong Kong people administering Hong Kong” and a high degree of autonomy, the HKSAR shoulders the primary responsibility for safeguarding national security. This demonstrates the full confidence the Central Authorities have in the HKSAR. However, this act of faith does not mean that the Central Authorities have renounced their responsibility and power as regards national security. In fact, regarding crimes endangering national security under “specified circumstances”, there may be cases where law enforcement and judicial organs in the HKSAR find it difficult to exercise jurisdiction. For example, in complicated situations where certain foreign institutions or organisations are deeply involved in the case, or when national defence and military matters are involved, or where diplomatic row will ensue, it is difficult for the HKSAR alone to

thoroughly investigate and handle. Where cases are beyond local law enforcement authorities' capacity, it is imperative for the Central Authorities to exercise jurisdiction over them. Under the National Security Law, cases requiring the Central Authorities to exercise jurisdiction are defined using objective criteria. This is treated with utmost prudence.

Furthermore, the reason the Central Authorities retain jurisdiction over certain cases under “specified circumstances” is to avoid the most extreme situations in which matters are beyond the control of the HKSAR Government that will require invoking Article 18(4) of the Basic Law, under which the NPC Standing Committee decides that the HKSAR is in a state of emergency, and the CPG may then issue an order applying the relevant national laws in the HKSAR.



5

Do the arrangement of retaining jurisdiction under “specified circumstances” by the Central Authorities and the appointment of judges by the Chief Executive to adjudicate national security cases mean a distrust in the judiciary of the HKSAR? And would it undermine the judicial independence in Hong Kong?

The rule of law and judicial independence are among the essential elements which Hong Kong’s success relies on. The HKSAR is vested with independent judicial power, including that of final adjudication in accordance with the Basic Law, which has served as the anchor for the legal system of Hong Kong in the past 23 years. In spite of this, safeguarding national security is a matter within the purview of the Central Authorities, not one falling within the high degree of autonomy for the SAR. The Central Government must ensure that national security is thoroughly safeguarded under all circumstances and in anywhere. It has to retain the jurisdiction under “specified circumstances” in order to handle cases endangering national security which are beyond the capacity of the HKSAR. Besides, the courts of Hong Kong have no jurisdiction over acts of state; and the exercise of power by the Central Authorities to safeguard national security constitutes an act of state. It is specifically stipulated in the third paragraph of Article 19 of the Basic Law that “the courts of the Hong Kong Special Administrative Region shall have no jurisdiction over acts of state such as defence and foreign affairs.”

Under the National Security Law, cases endangering national security connected with Hong Kong shall be handled by the law enforcement agencies and the judiciary of the HKSAR. Such stipulation should be

regarded as a special arrangement manifesting “One Country, Two Systems” to the greatest extent, and showing the trust the Central Government has in the executive and judicial authorities of the SAR as well as the respect for both kinds of legal system.

Under the Basic Law, judges of the courts of various levels of the HKSAR shall be appointed by the Chief Executive in accordance with legal procedures. The Chief Executive is accountable to the CPG, so it is within the Chief Executive’s purview to appoint suitable judges to try cases of crimes endangering national security.

The provision does not affect judicial independence. Judicial independence means that the judges are free from interference when actually hearing cases, and the relevant provision merely makes it clear that the Chief Executive shall designate, in different levels of courts, a list of judges who are suitable to hear cases that endanger national security, rather than choosing a judge to preside over a specific case, and the Chief Executive may consult the Committee for Safeguarding National Security of the HKSAR and the Chief Justice of the Court of Final Appeal before doing so. Furthermore, no restriction has been imposed on the nationalities of the judges, which fully shows respect for the existing judicial system of the HKSAR. (There is no country in the world that adopts the practice of allowing foreign nationals to be judges to preside over cases concerning national security.)

The National Security Law also clearly stipulates that national security cases under the HKSAR’s jurisdiction shall be processed in accordance with the current legal procedures of Hong Kong. Therefore, when dealing with specific cases, it will still be the Judiciary to choose judges from the above list of designated judges. Any allegation of interference with judicial independence is totally groundless.



6

Why is there the need to establish dedicated departments in the Hong Kong Police Force and the Department of Justice for the implementation of the National Security Law? What will be the relevant manpower resources?

Since its return to the Motherland, Hong Kong has not put in place any enforcement mechanisms for safeguarding national security. To safeguard national security, a lot of work will be involved, such as intelligence gathering, situation analysis, and filing for investigation and prosecution of cases, as well as the related legal work. Moreover, the personnel concerned need to receive special training and accumulate the relevant experience. The HKSAR Government is at the moment unable to fully assess the manpower required. However, the National Security Law stipulates that, to ensure that sufficient resources will be available to perform the duty, upon approval by the Chief Executive, the Financial Secretary shall appropriate from the general revenue funding to pay for the expenditure and staffing involved.



7

The National Security Law allows the Police Force to take additional measures. Will this result in excessive power for the Police?

Countries invariably provide all the necessary effective measures for enforcement agencies involved in national security. The measures provided for in the National Security Law are necessary for the effective implementation of its various provisions. The National Security Law authorises the Chief Executive to, jointly with the Committee for Safeguarding National Security of the HKSAR, make relevant implementation rules for the purpose of applying the measures by the Police, with a view to achieving the purpose of the legislation, which is to prevent, suppress and punish acts that endanger national security.



8

Will the National Security Advisor designated by the Central Authorities to sit in on meetings of the Committee for Safeguarding National Security of the HKSAR become the “Supreme Master”?

National security is a matter within the purview of the Central Authorities. The analyses of information and situations involved are far beyond the capacity of a local government. The National Security Advisor designated by the Central Authorities will only give advice on the work of the HKSAR in safeguarding national security, and will just sit in on the Committee for Safeguarding National Security of the HKSAR chaired by the Chief Executive.



9

What are the law enforcement powers granted to the Office for Safeguarding National Security of the CPG in the HKSAR? Are the law enforcement officers of the Office bound by the laws of the HKSAR?

The law enforcement powers of the Office are clearly stipulated in the National Security Law and they are only applicable under “specified circumstances”. The work and law enforcement actions of the Office to safeguard national security must strictly comply with the legal provisions, statutory functions and statutory procedures.

The National Security Law has also clearly stipulated that the Office must perform duties strictly according to the law and be subject to the supervision of the national supervisory authorities in accordance with the law. It shall not infringe upon the lawful rights and interests of any individual or organisation. The staff of the Office must also abide by the laws of the HKSAR.





Will the National Security Law erode foreign investors' confidence and undermine Hong Kong's status as an international financial centre?

Social unrest, the failure of the rule of law, the lack of protection for corporate assets and personal safety are the genuine factors which would undermine investors' confidence. As a matter of fact, these were the factors that have led to the fall of Hong Kong's international rankings in the past year. The United Kingdom, United States of America, France, Germany and Mainland China all have enacted national security legislation, but we have never heard that such legislation affected the economic development and business environment of these countries. The National Security Law can promptly revert the chaotic situation in the past year and restore stability in Hong Kong, thereby improving Hong Kong's business and investment environment. We strongly believe that only with national security safeguarded can Hong Kong enjoy long-term stability and security. Therefore, the legislation will be conducive to Hong Kong continuously improving its strengths, attracting overseas talents, strengthening its status as an international financial centre as well as a shipping and trading hub, in addition to giving impetus to promoting the development of innovation and technology.



Defend the country's bottom line Put Hong Kong back on track

Safeguarding National Security for
Preserving "One Country, Two Systems"



