

**National Security (Legislative Provisions) Bill:
Definition of “National Security” in the Societies Ordinance**

Introduction

This paper sets out the Administration's response on the question regarding the background of the definition of term “national security” in the existing Societies Ordinance (Cap. 151), as raised at the meeting of the Bills Committee on 20 May 2003.

Definition of “national security”

2. The term “national security” is defined in both the Societies Ordinance and the Public Order Ordinance (Cap. 245) as “the safeguarding of the territorial integrity and the independence of the People's Republic of China.” It is proposed to adopt the same definition in the Official Secrets Ordinance (Cap. 521).

3. The definition of “national security” is taken from the United Nations publication “Freedom of the Individual under Law: an Analysis of Article 29 of the Universal Declaration of Human Rights”¹, which says in regard to national security (para. 1028) -

“National security means peace and stability in the community. The concept would seem to relate to measures enacted with a view to **safeguarding territorial integrity and national independence** from any external threat. It covers any activity prejudicial to the very existence of the State. Nevertheless, this requirement should not be used as a pretext for imposing arbitrary limitations or restrictions on the exercise of human rights and freedoms.” (emphasis added)

Security Bureau
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¹ Erica-Irene A. Daes, *Freedom of the Individual under Law: An Analysis of Article 29 of the Universal Declaration of Human Rights*, Human Rights Study Series No. 3, United Nations publication (Sales No. E.89.XIV.5), 1990