

香港特別行政區政府
政務司司長辦公室轄下行政署



The Government of
The Hong Kong Special Administrative Region
Administration Wing,
Chief Secretary for Administration's Office

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By email: ayylau@legco.gov.hk

3 August 2020

Clerk to the Finance Committee
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attn: Ms Ada Lau)

Dear Ms Lau,

Finance Committee Meeting on 2 July 2020

Thank you for your email dated 3 July 2020. I attach at **Annex** our written response to the questions raised by Members at the meeting of the Finance Committee on 2 July 2020 relating to FCR(2020-21)12, please.

Yours sincerely,



(Miss Ingrid Wong)
for Director of Administration

c.c. Judiciary Administrator (Attn: Mr Jock Tam)

- (a) The eligibility and/or requirements for judges to be designated by the Chief Executive of the Hong Kong Special Administrative Region to hear cases concerning the National Security Law:**

According to Article 44 of the Law of the People's Republic of China on Safeguarding National Security in the HKSAR (the "National Security Law"), the Chief Executive ("CE") shall designate a number of judges from the magistrates, the judges of the District Court, the judges of the Court of First Instance and the Court of Appeal of the High Court, and the judges of the Court of Final Appeal, and may also designate a number of judges from deputy judges or recorders, to handle cases concerning offence endangering national security. Before making such designation, the CE may consult the Committee for Safeguarding National Security of the HKSAR (the "National Security Committee") and the Chief Justice of the Court of Final Appeal ("CJ").

The CE is the authority to designate judges and may consult the National Security Committee and the CJ. In designating the first batch of magistrates on 3 July 2020, the CE has consulted both.

- (b) The Government has indicated that between 2014 and 2019, 32 judges left the Judiciary after reaching their retirement ages, and another seven judges left for other reasons. Please explain the reasons for the departure of the seven judges:**

According to the Judiciary, during the period from 2014-15 to 2018-19, a total of 32 Judges and Judicial Officers ("JJOs") left the judicial service. Apart from 25 JJOs who left the judicial service on attaining retirement age, another seven JJOs left on early retirement or completion of agreement.