

**Opening remarks by the  
Secretary for Constitutional and Mainland Affairs  
at the Special Meeting of the Finance Committee of the  
Legislative Council on 12 April 2021**

Dear Chairman,

I wish to brief Members now on the main points of the estimates of expenditure of the Constitutional and Mainland Affairs Bureau (CMAB) in 2021-22.

**Estimates of expenditure of the CMAB**

2. In 2021-22, the CMAB is allocated \$830.91 million of funding. The focus of our work for this financial year is as follows:

**(I) Improving the electoral system**

3. On 11 March 2021, the National People's Congress (NPC) made the Decision of the National People's Congress on Improving the Electoral System of the Hong Kong Special Administrative Region (the Decision). On 30 March, the Standing Committee of the National People's Congress (NPCSC) adopted the amended Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law) on Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region and Annex II to the Basic Law on Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and Its Voting Procedures.

4. The HKSAR Government resolutely supports the Decision made by the NPC and the amended Annexes I and II to the Basic Law adopted by the NPCSC. The improved electoral system will be able to establish a political structure which conforms to the "one country, two systems" principle, meets the actual situation of Hong Kong and fulfills the principle of "patriots administering Hong Kong".

5. The HKSAR Government is working in full speed to implement Annexes I and II. First, we need to amend the relevant electoral legislations to implement the concrete content of Annexes I and II. If approved by the Executive Council, we will introduce the Improving Electoral System (Consolidated Amendments) Bill 2021 into the Legislative Council (LegCo) at a specially convened meeting of the

LegCo on 14 April for First Reading. We would like to thank the LegCo for setting up a subcommittee to discuss the Decision and the amended Annexes I and II. The Subcommittee has already had five meetings. Upon the introduction of the above-mentioned bill to the LegCo, the subcommittee will transform into a bills committee to commence scrutiny of the bill.

6. Also, we will continue to conduct explanatory work towards the public. In the past period, the HKSAR Government has already met with various sectors to brief them on the background, principles and major content of improving the electoral system. We will strengthen our explanatory and publicity work aimed at the public so that more members of the public will agree with the necessity and urgency of improving the electoral system as well as support the relevant work.

7. In the coming twelve months, there will be three elections, including the elections of the Election Committee, LegCo and Chief Executive. To cope with the tremendous preparatory work for these elections, we hope that scrutiny of the aforementioned bill could be completed and the bill could be passed by the end of May this year. We hope that Members could continue to support the work in improving the electoral system.

## **(II) Oath-taking by public officers**

8. Upholding the Basic Law and bearing allegiance to the HKSAR are the basic requirements for people administering Hong Kong and public officers as well as their fundamental obligation and responsibility. This is also an important foundation for implementing the principle of “patriots administering Hong Kong”.

9. To accurately implement Article 104 of the Basic Law and the Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China adopted by the NPCSC in November 2016, to fulfil the constitutional responsibility of the HKSAR, and to implement the legislative intentions and principles in respect of oath-taking requirements by public officers laid down in the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, the HKSAR Government has introduced the Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Bill 2021 into the LegCo on 17 March 2021 for First and Second Reading. The relevant bills

committee has already convened four meetings. We will continue to support the scrutiny work and strive for early passage of the bill.

### **(III) Amendments to the National Flag and National Emblem Ordinance**

10. The amended National Flag Law of the People's Republic of China (the National Flag Law) and the National Emblem Law of the People's Republic of China (the National Emblem Law) came into force on 1 January 2021. The CMAB is now preparing amendments to the National Flag and National Emblem Ordinance in accordance with the provisions, principles and spirit of the amended National Flag Law and National Emblem Law, with a view to implementing provisions that are applicable to the HKSAR. We will complete the drafting of the amendment bill as soon as practicable and then introduce it to the LegCo for scrutiny so as to fulfil the constitutional responsibility of the HKSAR.

### **(IV) Promoting the Constitution and the Basic Law**

11. The Constitution and the Basic Law together form the constitutional basis of the HKSAR and provide the strongest safeguard for the long-term prosperity and stability of Hong Kong. To ensure the steadfast and successful implementation of the "one country, two systems" principle, we have responsibility to let the general public have a comprehensive, accurate and thorough understanding of the Constitution and the Basic Law, as well as the constitutional order enshrined therein. The CMAB will set aside about \$23 million in 2021-22 for carrying out promotion and publicity work through different means and in a diversified manner, including organising or sponsoring various types of promotional activities, in order to promote and enhance the atmosphere of studying and learning the Constitution and the Basic Law in the society.

### **(V) Rights of the individual**

12. In 2021-22, subventions to the Equal Opportunities Commission (EOC) and the Office of the Privacy Commissioner for Personal Data (PCPD) will remain the major parts of the estimated total provision in human rights under the CMAB.

## The EOC and the PCPD

13. The EOC is responsible for implementation of the four anti-discrimination ordinances. The total subvention for the EOC in 2021-22 is \$132.1 million, a decrease of 2.4% as compared with the revised estimate of the previous financial year (i.e. \$135.3 million). The reason is that an one-off provision was provided to the EOC in 2020-21 for enhancing its work and stepping up publicity and public education. Such provision is not necessary in this financial year.

14. The PCPD will continue to raise public awareness in protecting and respecting personal data, as well as encourage public and private organisations to embrace personal data protection as an essential part of corporate governance. In 2021-22, the allocation to the PCPD is \$88.90 million, which is comparable to the revised estimate of 2020-21.

15. In recent years, doxxing acts, which literally weaponise personal data, have blatantly infringed personal data privacy. Such acts are rampant and deemed despicable. To put a stop to such destructive behaviour, our target is to introduce an amendment bill to combat doxxing within this legislative year so as to better protect the personal data privacy of the general public.

## Discrimination law review

16. The Discrimination Legislation (Miscellaneous Amendments) Bill 2018 was passed by the LegCo in June last year, enhancing protection from discrimination and harassment under the existing four anti-discrimination ordinances. Consequential to suggestions received in the course of scrutinising this bill, we have separately introduced the Sex Discrimination (Amendment) Bill 2020 to prohibit harassment of breastfeeding women. The bill was passed by the LegCo on 17 March 2021 and will take effect on 19 June.

## Anti-discrimination on grounds of sexual orientation and gender identity

17. The HKSAR Government has always been committed to promoting equal opportunities for people of different sexual orientations and transgenders, with a view to fostering in the community the culture and values of inclusiveness, mutual respect and non-discrimination. We have been broadcasting promotional video on different platforms to promote the message of “Eliminate Discrimination, Embrace Inclusion”,

as well as encouraging more organisations to adopt the Code of Practice against Discrimination in Employment on Ground of Sexual Orientation to provide equal opportunities for people of different sexual orientations. We will also continue to provide support services to sexual minorities through the Equal Opportunities (Sexual Orientation) Funding Scheme and by providing funding to the 24-hour hotline operated by Tung Wah Group of Hospitals.

## **(VI) Mainland affairs and co-operation with Taiwan**

18. In 2021-22, the financial provision for the Mainland and Taiwan Offices is \$366.33 million, an increase of \$32.12 million (about 9.6%) as compared with the revised estimate for 2020-21. The reason is to step up promotional efforts to rebuild the positive image of Hong Kong.

### The National 14<sup>th</sup> Five-Year Plan

19. On 11 March 2021, the NPC adopted the Outline of the 14<sup>th</sup> Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035 (the 14<sup>th</sup> Five-Year Plan). The part concerning Hong Kong and Macao states from the outset that to maintain the long-term prosperity and stability of Hong Kong and Macao, it is imperative 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 uphold the constitutional order as enshrined in the Constitution and the Basic Law, to uphold the Central Authorities’ overall jurisdiction over the Special Administrative Regions (SARs), and to implement the legal system and enforcement mechanisms for the SARs to safeguard national security, etc.

20. In addition, the 14<sup>th</sup> Five-Year Plan mentions numerous constructive supporting statements for Hong Kong in terms of economic and social development, amongst which a number of them were raised for the first time in a national five-year plan. On economic development, the 14<sup>th</sup> Five-Year Plan includes for the first time the support for Hong Kong to enhance its status as an international aviation hub, to develop into an international innovation and technology hub and a regional intellectual property trading centre, and to develop into a hub for arts and cultural exchanges between China and the rest of the world. As regards social development, the 14<sup>th</sup> Five-Year Plan raises for the first time the

support for Hong Kong to foster co-operation and exchanges with countries and regions around the world, and improve policy measures to enable Hong Kong and Macao residents to develop and live in the Mainland.

21. The HKSAR Government will utilise the opportunities brought about by the 14<sup>th</sup> Five-Year Plan. Under the new development pattern which takes the domestic market as the mainstay while enabling domestic and foreign markets to interact positively with each other, the HKSAR Government will take the development of the Guangdong-Hong Kong-Macao Greater Bay Area as an entry point so as to better integrate Hong Kong into the overall development of our Country.

### Development of the Guangdong-Hong Kong-Macao Greater Bay Area

22. The development of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) is not only a key development strategy in our Country's Reform and Opening-up in the new era, but also a further step to enrich the implementation of the "one country, two systems" principle. With the support of the 14<sup>th</sup> Five-Year Plan, Hong Kong will actively participate in high-quality GBA development.

23. Since the promulgation of the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area in February 2019, the HKSAR Government has spared no efforts in taking forward GBA development, including working closely with the relevant Central Ministries or Departments and the Guangdong Provincial Government to take forward the implementation of the 24 policy measures that have been approved by the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area. Measures already rolled out include: tax concessions, facilitation of property purchase, support for young entrepreneurs, cross-boundary remittance of science and technology funding, and liberalisation of the legal and construction professional services, etc. These measures have facilitated Hong Kong residents to reside, work and develop in the Mainland cities of the GBA.

24. At the same time, the Guangdong-Hong Kong-Macao Greater Bay Area Development Office (the Office) was formally established under the CMAB in November 2020. In 2021-22, the Office will maintain close liaison with Central Ministries or Departments, the Guangdong Provincial Government and the Macao SAR Government on GBA development. The Office will also co-ordinate efforts amongst

bureaux and departments of the HKSAR Government to actively take forward the implementation of various policy measures, and on the basis of the “one country, two systems” principle, pursue policy innovation and breakthroughs with a view to identifying and creating new opportunities for Hong Kong. Moreover, the Office will maintain close liaison with local stakeholders and through publicity and promotional efforts enhance the awareness of various sectors of society on GBA development and encourage them to actively participate in GBA development.

#### Resumption of cross-boundary people flow

25. As a first step in gradually resuming the cross-boundary flow of people amongst Hong Kong, Guangdong and Macao in an orderly manner, the HKSAR Government introduced the Return2hk Scheme (the Scheme) on 23 November 2020 to facilitate Hong Kong residents in Guangdong or Macao, after having been tested negative for a COVID-19 test, to return to Hong Kong without being subject to the 14-day compulsory quarantine. As at 11 April 2021, over 123 000 return journeys have been made by Hong Kong residents under the Scheme. The HKSAR Government is exploring extending the scope of the Scheme to areas outside Guangdong and allowing certain Mainland residents to come to Hong Kong without being subject to compulsory quarantine. The HKSAR Government will announce the details at a suitable juncture.

#### Enhancing promotion in the Mainland after the epidemic

26. The social unrests in 2019 dealt a heavy blow to Hong Kong’s image in the Mainland as a safe city. In 2020, the people flow between the two places almost came to a standstill due to the epidemic. In collaboration with relevant departments and organisations, the five Mainland Offices of the HKSAR Government will, after the epidemic, enhance the promotional work in the Mainland and rebuild Hong Kong’s positive image as a safe, law-abiding, civilised, pluralistic and inclusive society. We will launch the relevant promotions in due course.

27. Chairman, this is the end of my introduction. My colleagues and I would be glad to answer enquires from Members.

**Constitutional and Mainland Affairs Bureau**  
**April 2021**