

Legislative Council Panel on Constitutional Affairs

The Chief Executive's 2024 Policy Address

Policy measures of the Constitutional and Mainland Affairs Bureau in relation to public elections, patriotic education, promotion on the Constitution and the Basic Law, as well as promotion of equal opportunities and elimination of discrimination, etc.

This paper briefs Members on the policy measures of the Constitutional and Mainland Affairs Bureau in the Chief Executive's 2024 Policy Address in relation to conducting public elections, implementing patriotic education, promoting the Constitution of the People's Republic of China (the Constitution) and the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law), as well as promoting equal opportunities and eliminating discrimination, etc.

Our vision

2. The Hong Kong Special Administrative Region (HKSAR) Government will, as in the past, fully, faithfully and resolutely implement the principles of "One Country, Two Systems", "Hong Kong people administering Hong Kong" and a high degree of autonomy, as well as safeguard the constitutional order of the HKSAR as laid down by the Constitution and the Basic Law. We will fully implement the improved electoral system and the principle of "patriots administering Hong Kong".

3. We will strive to ensure that public elections under the new electoral system will be smoothly conducted in a fair, just, honest, safe and orderly manner. We will also fully implement the principle of "patriots administering Hong Kong" and ensure that the power to administer Hong Kong is firmly in the hands of patriots in order to achieve good governance for the public good as well as long-term stability and safety of the HKSAR. At the same time, we will proactively implement patriotic education, widely promote the Constitution and the Basic Law to members of the public, safeguard the fundamental rights protected by the Constitution and the Basic Law, as well as promote equal opportunities and eliminate discrimination.

4. The relevant policy measures we will pursue are highlighted as follows –

- (a) Adhere to the improved electoral system in the long run to ensure that elections are conducted in a fair, just, honest, safe and orderly manner; continue to enhance the electoral arrangements; and further the application of information technology and smart technologies in the election process to further enhance efficiency and make the arrangements more user-friendly;
- (b) Launch a series of publicity activities to promote the improved electoral system so as to raise the public's awareness of the electoral system;
- (c) Work closely with the Electoral Affairs Commission (EAC) to prepare for the 2025 Legislative Council (LegCo) General Election, and ensure that the election will be conducted in a fair, just, honest, safe and orderly manner;
- (d) The Working Group on Patriotic Education under the Constitution and Basic Law Promotion Steering Committee will actively co-ordinate the overall strategy and specific measures on implementing patriotic education, with a view to making patriotism with affection to our country and Hong Kong a mainstream core value of Hong Kong, enabling the spirit of patriotism to take root in society and people's heart;
- (e) 2025 marks the 80th anniversary of the victory of the War of Resistance. The HKSAR Government will organise commemorative events to enhance the sense of patriotism;
- (f) Continue to strengthen publicity and education on the Constitution and the Basic Law through diverse channels and innovative approaches, which include displaying large outdoor publicity messages, producing publicity video clippings, making extensive use of online platforms and social media for publicity, organising various kinds of physical activities to reach into the community, providing sponsorship to non-governmental organisations or community organisations for conducting different promotion and research, and consolidating community efforts for enhanced publicity;

- (g) Continue to facilitate regular exchanges with the HKSAR deputies to the National People's Congress (NPC) and the HKSAR members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC) to enhance communication and collaboration, so as to rally patriots with affection for the country and Hong Kong, and to achieve the full impact of "patriots administering Hong Kong" for ensuring the steadfast and successful implementation of "One Country, Two Systems";
- (h) The Office of the Privacy Commissioner for Personal Data (PCPD) will step up promotional efforts to enhance public awareness of personal data protection, and actively assist the industry to comply with the relevant requirements under the Personal Data (Privacy) Ordinance (PDPO). The PCPD will also study further enhancements of personal data protection and strengthening the capability to address challenges posed by cyber technologies through legislative amendments and other measures;
- (i) Continue to support the Steering Committee on Ethnic Minority Affairs, chaired by the Chief Secretary for Administration, to strengthen cross-bureau/ inter-departmental collaboration, as well as to co-ordinate and provide steer on support measures for ethnic minorities (EMs), including representations in EM languages of policies on and services for EMs by bureaux and departments on their webpages, etc.; and
- (j) Support the Equal Opportunities Commission (EOC) in conveying positive messages of mutual respect, diversity and inclusion through enhanced promotional and public education efforts; and continue to study with the EOC ways to strengthen legal protection against sexual harassment.

Detailed measures

LegCo election and enhancing electoral arrangements

5. Since improving the electoral system and district governance system of the HKSAR, we have successfully held five major elections, including the District Council election which was smoothly conducted in

2023. We will draw on the valuable experience of the above elections, and in consultation with the EAC and the Registration and Electoral Office, actively study enhancements for various electoral arrangements, with a view to furthering the application of information technology and smart technologies at various stages of the election process, including voter registration as well as casting and counting of votes etc., to further improve the efficiency of elections and facilitate various stakeholders, thereby ensuring elections are conducted in a more efficient and user-friendly manner.

6. We will make technical legislative amendments for implementing specific arrangements for the Legislative Council General Election next year at a later stage, and empower the EAC to take forward the relevant enhanced arrangements. When considering the relevant arrangements, we will strive to ensure that elections are conducted in a fair, just and honest manner, and strike a proper balance amongst the application of technology, efficiency enhancement, ensuring security, privacy protection and public confidence, etc.

7. In addition, we will continue to allocate resources and launch various publicity activities to promote the improved electoral system, including production of a series of educational videos which will be broadcast on television channels and social media so as to raise public awareness of the new electoral system.

Implementing patriotic education

8. The HKSAR Government endeavours to build mainstream values in Hong Kong characterised by patriotism with affection for our country and Hong Kong and in conformity with the principle of “One Country, Two Systems”. The Working Group on Patriotic Education (Working Group) was established on 8 April this year under the Constitution and Basic Law Promotion Steering Committee which is led by the Chief Secretary for Administration to co-ordinate the work of government departments and non-governmental organisations in taking forward patriotic education in a proactive manner. Four sub-groups have been set up under the Working Group, respectively focusing efforts on aspects including school education; local community; history, politics, economy and culture; and media publicity, with a view to exploring and proposing policy measures in relation to patriotic education having regard to the actual circumstances of Hong Kong.

9. This year marks the 75th anniversary of the founding of the People's Republic of China. The Working Group, under the theme of "Love our Country, Love Hong Kong, Love our Community", has worked closely with government bureaux and departments to feature the spirit of patriotism in different celebration activities of the National Day, with a view to sharing the joy with the community, while at the same time enabling members of the public to continuously deepen their understanding on our country, develop a sense of national belonging, and feel proud of the country's development and achievements as well as the fine traditional Chinese culture, creating an intense patriotic atmosphere across the territory.

10. In future, the Working Group will roll out more policy measures and organise more activities with a view to facilitating the spirit of patriotism to take root in society. Next year marks the 80th anniversary of the victory of the War of Resistance. The HKSAR Government will organise commemorative activities to further cultivate the sense of patriotism. The HKSAR Government will also organise a range of joint school and cross-sectoral activities under the "Love Our Home, Treasure Our Country 3.0" series, continue to enhance Chinese History and national geography education in primary and secondary schools, and enrich patriotism and history elements in Mainland exchange programmes. Besides, through organising a wide range of activities, the HKSAR Government will, from various aspects, widely promote to all sectors of the community as well as bring together the community forces to jointly take forward patriotic education.

Strengthening promotion on the Constitution and the Basic Law

11. The Constitution is the root and origin of the HKSAR and the Basic Law. The Constitution and the Basic Law together form the constitutional basis and order of the HKSAR, providing a solid legal basis and constitutional framework for the country's basic policies regarding the HKSAR, including "One Country, Two Systems", while at the same time providing the strongest safeguard for the long-term prosperity and stability of Hong Kong.

12. The HKSAR Government attaches great importance to the promotion and education on the Constitution, the Basic Law, national security as well as "One Country, Two Systems", and has been proactively taking forward relevant work through the Constitution and Basic Law Promotion Steering Committee.

13. The HKSAR Government will continue to strengthen publicity and education through diverse channels and innovative approaches, including displaying large outdoor publicity messages, producing publicity video clippings, making extensive use of online platforms and social media for publicity, organising various kinds of physical activities to reach into the community, providing sponsorship to non-governmental organisations or community organisations for conducting different promotion and research, and consolidating community efforts for enhanced publicity, etc., so as to strengthen public understanding on the Constitution, the Basic Law, national security and “One Country, Two Systems”.

14. This year’s Policy Address has enhanced the relevant key performance indicators, i.e. continuing to step up the promotion on the Constitution, the Basic Law and patriotism by organising no less than 730 promotional activities with no less than 940 000 participants and no less than 26 million views via online publicity in 2025. We will make every effort to take forward the relevant publicity and education work.

Enhancing exchanges with the HKSAR deputies to the NPC and the HKSAR members of the National Committee of the CPPCC

15. The HKSAR deputies to the NPC (NPC deputies) and the HKSAR members of the National Committee of the CPPCC (CPPCC members) are members of the country’s major institutions. Consisting of leaders from various sectors, they are a key force dedicated to the country and Hong Kong. They shoulder the vital responsibility of taking part in the deliberation of national affairs, and with their deep understanding of Mainland and Hong Kong affairs, they greatly contribute to the construction of the rule of law at national level as well as the long-term prosperity and stability of Hong Kong.

16. Since the establishment of the regular exchange mechanism last year, the HKSAR Government has received strong support and valuable feedbacks and suggestions on the work of the Government from the NPC deputies and CPPCC members. The HKSAR Government will continue to facilitate regular exchange with the NPC deputies and CPPCC members to enhance communication and collaboration, so as to fully rally patriots with affection towards the country and Hong Kong in pursuit of achievements together, for ensuring the steadfast and successful implementation of “One Country, Two Systems”.

Protection of personal data privacy

17. To combat doxxing acts which intrude into personal data privacy, the LegCo passed amendments to the PDPO in 2021, criminalising doxxing acts and providing the Privacy Commissioner for Personal Data with relevant criminal investigation and prosecution powers. The PCPD has been rigorously enforcing the law to combat doxxing offences. As at 30 September 2024, the PCPD has commenced criminal investigation for 363 suspected doxxing cases and arrested 62 persons in 59 cases, amongst whom 38 persons were charged and 28 were convicted, with the longest imprisonment sentence being eight months.

18. On the other hand, the PCPD has accorded priority to data security in its promotional and publicity work, for instance, through co-organising webinars and data security activities with the Police and the Digital Policy Office, etc. The PCPD also organises the “Privacy-Friendly Awards” recognising enterprises’ work in implementing a good privacy management system and publishes guidelines such as “Guidance on Data Breach Handling and Data Breach Notifications” and “Artificial Intelligence: Model Personal Data Protection Framework”, etc. Besides, the PCPD is studying further legislative amendments to the PDPO with a view to strengthening personal data protection and addressing the challenges posed by cyber technologies.

Promotion of equal opportunities and elimination of discrimination

19. The HKSAR Government has always strived to ensure that Hong Kong residents, irrespective of their race, have equal access to public services. We are committed to promoting racial integration and building a caring and inclusive society. We will continue to support the Steering Committee on Ethnic Minority Affairs, chaired by the Chief Secretary for Administration, to strengthen cross-bureau and inter-departmental collaboration. The Steering Committee co-ordinates and provides steer on policies and measures in various areas with the objective of providing fitting services and support to EM residents.

20. At the same time, we will continue to co-ordinate the representations of policies on and services for EMs by various bureaux and departments on their webpages in eight EM languages (i.e. Bahasa Indonesia, Hindi, Nepali, Tagalog, Thai, Urdu, Vietnamese and Punjabi), with a view to facilitating EM residents’ understanding on the policies and services relevant to them.

21. In addition, we will continue to support the EOC in proactively conveying the positive messages of mutual respect, diversity and inclusion through enhanced promotional and public education efforts, with a view to fostering social harmony and stability. We will also continue to work with the EOC to study ways to further strengthen legal protection against sexual harassment.

Conclusion

22. We will continue to implement the above-mentioned various policy measures. Members are invited to note the content of this paper.

Constitutional and Mainland Affairs Bureau
October 2024