

## **Q&A on Safeguarding National Security Ordinance:**

### **Does the Safeguarding National Security Ordinance target persons with specific occupation, background or political stance?**

- What the Safeguarding National Security Ordinance targets are acts and activities endangering national security. The HKSAR law enforcement agencies have been taking law enforcement actions based on evidence and strictly in accordance with the law in respect of the acts of the persons or entities concerned, and are not relevant to their occupation, background or political stance.
- The Safeguarding National Security Ordinance is ultimately for better safeguarding the fundamental rights and freedoms of HKSAR residents and other people in the HKSAR, and ensuring that the properties and investments (including foreign investments) in the HKSAR are protected by law.

#### **Information source:**

[The Industrial, Commercial and Professional Sectors Sub-group under the Working Group on Constitution, Basic Law and Hong Kong National Security Law,](#)  
[the Constitution and Basic Law Promotion Steering Committee](#)



### **Q&A on Safeguarding National Security Ordinance:**

#### **Will making negative comments on HKSAR's economy constitute the offences relating to “seditious intention” under the Safeguarding National Security Ordinance?**

- No one will commit the offences relating to “seditious intention” by merely making well intentioned comments about the Government.
- The offence of “seditious intention” mainly targets the intention to induce hatred against the Government and covers, for example, inciting any other person to do a violent act in the HKSAR, or to do an act that does not comply with the law of the HKSAR.
- The Safeguarding National Security Ordinance provides for the circumstances that do not constitute “seditious intention”. Making reasonable and genuine criticism of government policies based on objective facts, or pointing out issues, offering views for improvement, etc. does not constitute an offence of “seditious intention”.

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### **Q&A on Safeguarding National Security Ordinance:**

**According to the Safeguarding National Security Ordinance,  
will local organisations accepting financial aid from  
a foreign country be prohibited from operation?**

- The crux of the matter is whether the local organisation concerned is a “political body” (i.e. a political party, or an organisation which promotes or prepares a candidate for an election), and whether the foreign organisation which provides the financial aid is a “foreign political organisation” (e.g. a government of or a political party in a foreign country, or its agent).
- If the local organisation is not a “political body”, or the foreign organisation which provides the financial aid is not a “foreign political organisation”, the local organisation concerned will not be prohibited from operation only because it receives financial aid from a foreign organisation.
- An organisation with the objective of promoting environmental protection, charities, etc., which do not engage in activities endangering national security, will by no means be affected by the Safeguarding National Security Ordinance.

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## **Q&A on Safeguarding National Security Ordinance:**

### **Will members of the public commit the offences inadvertently?**

- In formulating the offence, the Government precisely targeted acts endangering national security and clearly define the elements and penalties of the related offence. The prosecution also has the burden to prove beyond reasonable doubt that the defendant had the *actus reus* and *mens rea* of the offence before the defendant may be convicted by the court. Law-abiding people will not unwittingly violate the law.

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**Q&A on Safeguarding National Security Ordinance:****Will the Safeguarding National Security Ordinance affect our regular exchanges with foreign countries?**

- Hong Kong is an international city having close contact and communication with other countries, regions and relevant international organisations. These normal interactions are protected by the Basic Law and the local laws of the HKSAR. The Safeguarding National Security Ordinance seeks to prevent, suppress and punish acts and activities endangering national security, which are distinctly different from normal external exchanges. Law-abiding people will not unwittingly violate the law.

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## **Q&A on Safeguarding National Security Ordinance:**

### **Does the Safeguarding National Security Ordinance affect Hong Kong's economic freedom and its status as an international financial centre?**

- Although Hong Kong has experienced severe challenges of social unrest and the COVID-19 pandemic over the past few years, its financial market has all along remained stable and operated orderly with vibrant trading activities. The stock market and the banking system of Hong Kong continue to operate normally. All these reflect that the market is full of confidence about Hong Kong's financial environment.
- Since the implementation of the Hong Kong National Security Law (HKNSL), investors' confidence in Hong Kong has not been shaken by the HKNSL and the development of the financial industry has been very prosperous.
- Implementing the Safeguarding National Security Ordinance has further improved HKSAR's legal system in safeguarding national security, rendering the business environment in the HKSAR more stable and its law and order more secured. It is conducive to investment in the HKSAR and the development of its financial market.

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