

**Ming Pao Education Publications Limited ‘Life and Society’  
Corrigenda (08/2021)**

Module	Page no. (2015 edition)	Chapter	Section	Amendment	
				Old	New
21	30	3	Learning Activity 5	Source 1 Vice-Premier Li Keqiang of the State Council attended the University of Hong Kong (HKU) Centenary Ceremony in August 2011.	Source 1 The <b>then</b> Vice-Premier Li Keqiang of the State Council attended the University of Hong Kong (HKU) Centenary Ceremony in August 2011.
				Source 1 About 300 journalists, journalism students and other people initiated a protest, stating that the related arrangements violated the freedom of the press.	Source 1 <b>For Li Keqiang’s visit to Hong Kong, the police set up a press area far away from the target interviewees.</b> About 300 journalists, journalism students and other people initiated a protest, stating that the related arrangements violated the freedom of the press.
	31	3	Learning Activity 5	Source 2 However, a group from Scholarism suddenly broke through the barrier, occupying a 3rd traffic lane and had a standoff with the police there. Finally, the police opened the 3rd lane in order to allow the large number of participants to get through.	Source 2 However, <b>some protesters suddenly crossed the 2 traffic lanes originally reserved for procession by the police. They occupied the 3rd lane</b> and had a standoff with the police there. Finally, the police opened the 3rd lane <b>for procession.</b>
33	3	Learning Activity 5	(3) When the police hurt someone illegally during an investigation, the person being investigated should: A. Write the truth on social networking websites and express their emotions freely. B. Complain to the Independent Police Complaints Council. C. Sue the police officers involved.	(3) When <b>people discover that government officials do not follow the procedures, they</b> should: A. Write the truth on social networking websites and express their emotions freely. B. Complain to <b>the Office of the Ombudsman.</b> C. Sue the <b>government officials</b> involved.	

35	3	Learning Activity 5	Summarise the above questions, what should we do to maintain the rule of law? Discuss in groups. [Analyse] [Problem Solving]	Summarise the above questions, <b>how can we safeguard our rights without violating our civil responsibilities, in order to</b> maintain the rule of law? [Analyse] [Problem Solving]
35	3	More Information	Legal aid will be granted if an applicant is able to satisfy the statutory criteria as to the financial eligibility and the merits of taking or defending the legal proceedings.	Legal aid will be granted if an applicant is able to satisfy the statutory criteria as to the financial eligibility, <b>and the merits of taking or defending the legal proceedings and it is reasonable to grant legal aid.</b>
38	3	Challenge	<b>Interpretation of the Basic Law and judicial independence</b>	<b>The 5 interpretations of the Basic Law by the NPCSC</b>
			The Basic Law vests HKSAR independent judicial power and the power of final adjudication. However, the power of interpretation of the <i>Basic Law</i> shall be vested in the Standing Committee of the National People's Congress (NPCSC).	<b>According to Article 2 of the <i>Basic Law</i>, the National People's Congress authorises the HKSAR to enjoy independent judicial power and the power of final adjudication. According to Article 158 of the <i>Basic Law</i>, the power of interpretation of the <i>Basic Law</i> is vested in the Standing Committee of the National People's Congress (NPCSC). The Court of Final Appeal of the HKSAR has repeatedly pointed out that the power of the NPCSC to interpret the <i>Basic Law</i> originates from the <i>Constitution</i> and the <i>Basic Law</i>.</b>
			Since the handover to the end of 2013, the NPCSC has interpreted the <i>Basic Law</i> 4 times.	Since the handover to the end of <b>2019</b> , the NPCSC has interpreted the <i>Basic Law</i> 5 times.
			<b>The 4 interpretations of the <i>Basic Law</i> by the NPCSC</b>	<b><del>The 4 interpretations of the <i>Basic Law</i> by the NPCSC</del></b>
			Additional content in the table (P.39)	<b>5 November 2016</b>

					<p>In October 2016, Sixtus Leung Chung Hang and Yau Wai Ching failed to take the oath in full accordance with the words of the oath prescribed by the <i>Oaths and Declarations Ordinance</i> when taking the Legislative Council Oath. As a result, Andrew Leung Kwan Yuen, the President of the Legislative Council, ruled the oath-taking of Leung and Yau invalid, but allowing them to take the oath again. The government then lodged a judicial review to the High Court about the decision of the President of the Legislative Council to allow them to re-take the Legislative Council Oath. The President of the Legislative Council decided to postpone administering the oath-taking for them. On the other hand, the Chairman of the NPCSC submitted to the NPCSC a motion on the interpretation of Article 104 of the <i>Basic Law</i>. The NPCSC adopted the Interpretation of Article 104 of the <i>Basic Law</i>, pointing out that when public officers of the HKSAR taking their oaths, they have to uphold the <i>Basic Law</i> and bear allegiance to the HKSAR and have to keep their oaths. The High Court finally ruled that Leung and Yau were immediately and automatically disqualified by law from assuming the office of members of the Legislative Council for declining to take the Legislative Council Oath in form and in substance.</p>
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				Will the interpretation of the <i>Basic Law</i> affect the judicial independence of Hong Kong? Debate in groups. Search for more information to support your own opinions.	Tell the main sources of the power of interpretation of the <i>Basic Law</i> by the NPCSC.
39	3	Challenge	Fig. 3.4 Hao Tiechuan, director-general of the Department of Publicity, Cultural and Sports Affairs of the Liaison Office of the Central People's Government in the HKSAR, published an article in Hong Kong newspapers in October 2013 to explain Hong Kong's political system.	Fig. 3.4 Hao Tiechuan, <b>the then</b> director-general of the Department of Publicity, Cultural and Sports Affairs of the Liaison Office of the Central People's Government in the HKSAR, published an article in Hong Kong newspapers in October 2013 to explain Hong Kong's political system.	
			Fig. 3.5 Geoffrey Ma Tao Li, the Chief Justice of the Court of Final Appeal, stressed that the core function of courts is to judge according to the law in the ceremonial opening of the 2013 legal year.	Fig. 3.5 Geoffrey Ma Tao Li, the <b>then</b> Chief Justice of the Court of Final Appeal, stressed that the core function of courts is to judge according to the law in the ceremonial opening of the 2013 legal year.	
39	3	Focus of Learning	3.2 The importance of the rule of law	3.2 The <b>function and</b> importance of the rule of law	
			The aim of the rule of law is to let us live equally, acquire the rights we deserve in society and perform our responsibilities so that everyone can have a happy and stable life, make good use of our own strengths and promote social development sustainably. Therefore, maintaining the rule of law is very important to Hong Kong society. It can protect the basic rights and freedoms of people, bring about a stable living environment and a good business	The aim of the rule of law is to let us live equally, acquire the rights we deserve in society and perform our responsibilities so that everyone can have a happy and stable life, make good use of our own strengths and promote social development sustainably. <b>Besides, the legal system regulates the power of the authority, so that the government is monitored and unable to abuse its power. This allows the public to continue to participate in social and political affairs</b>	

				<p>environment.</p>	<p>in a lawful manner, to protect social justice and the well-being of the public.</p> <p>In a mature society governed by the rule of law, the legal system is capable of performing a variety of functions, including:</p> <ul style="list-style-type: none"> <li>● To reduce the abuse of power by the government, corruption of the officials;</li> <li>● To protect basic human rights and personal freedom, so that the public do not have to live in fear;</li> <li>● To allow the public to participate in social and political affairs in peace, and to motivate them to fulfil their civic responsibilities;</li> <li>● To create a more open and pluralistic society as the public respect and equally treat one another;</li> <li>● To maintain social order and stability as the public is willing to accept norms and fulfil obligations, and they are willing to turn to the law rather than force to resolve disputes;</li> <li>● To demonstrate justice;</li> <li>● To create better conditions for the sustainable development of society.</li> </ul> <p>Therefore, maintaining the rule of law is very important to Hong Kong society. It can protect the</p>
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				basic rights and freedoms of people, bring about a stable living environment and a good business environment.
40	3	Challenge	Content deleted	Content deleted
41	3	Focus of Learning	<p><b>C. Initiate civil disobedience</b> Under special situations, some people fail to find solutions to change the unjustified legal and social status quo so they choose to initiate civil disobedience. This means they deliberately do something illegal with civil power. This is to illustrate the injustice of the law itself so as to arouse public awareness against an unjustified situation and force the people in power to concede. However, initiating civil disobedience involves encouraging someone to commit a crime. It contradicts the principles of the rule of law. Therefore, it is still a controversial issue.</p>	<p><del><b>C. Initiate civil disobedience</b> Under special situations, some people fail to find solutions to change the unjustified legal and social status quo so they choose to initiate civil disobedience. This means they deliberately do something illegal with civil power. This is to illustrate the injustice of the law itself so as to arouse public awareness against an unjustified situation and force the people in power to concede. However, initiating civil disobedience involves encouraging someone to commit a crime. It contradicts the principles of the rule of law. Therefore, it is still a controversial issue.</del></p>
44	3	Think More	<p>1. Do you think that there has been an increase or decrease in freedom of Hong Kong residents in recent years? Search for related news reports from the Internet and discuss in groups. 【Use of IT】 【Research】 【Analyse】 【Evaluate】</p>	<p>1. Search for related news reports <del>about the policies on the rights or obligations of Hong Kong residents</del> from the Internet and <del>discuss in groups the impacts of the policies on society.</del> 【Use of IT】 【Research】 【Analyse】 【Evaluate】</p>
46	--	Word Easy	<p><b>B</b> Benny Tai Yiu Ting 戴耀廷</p> <p><b>H</b> Have laws to comply with 有法可依 Have to comply with laws 有法必依</p>	<p><del><b>B</b> Benny Tai Yiu Ting 戴耀廷</del></p> <p><del><b>H</b> Have laws to comply with—有法可依 Have to comply with laws 有法必依</del></p>

				Henry David Thoreau 亨利·戴維·梭羅	<del>Henry David Thoreau</del> <del>亨利·戴維·梭羅</del>
47	--	Word Easy	<b>O</b> obligations 義務	<b>O</b> <del>Oaths and</del> <del>Declarations Ordinance</del> 《宣誓及聲明條例》 obligations 義務 <b>Office of the Ombudsman</b> 申訴專員公署	
			<b>P</b> Perform justice by laws 以法達義	<b>P</b> <del>Perform justice by laws</del> 以法達義	
			<b>R</b> <del>Resistance to Civil</del> <del>Government</del> 《論公民的不服從》 Restrict power by laws 以法限權	<b>R</b> <del>Resistance to Civil</del> <del>Government</del> —《論公民的不服從》— <del>Restrict power by laws</del> 以法限權	

Old:

### A. Chinese citizens and permanent residents of Hong Kong

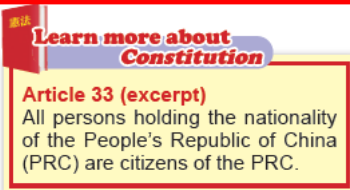
According to the *Nationality Law of the People's Republic of China*, a Hong Kong resident of Chinese descent born in Chinese territories is a Chinese citizen.

According to the *Basic Law*, all Chinese citizens who were born in Hong Kong or have ordinarily resided in Hong Kong for a continuous period of not less than 7 years before or after the establishment of the Hong Kong Special Administrative Region (HKSAR) are permanent Hong Kong residents. Persons of Chinese nationality born outside Hong Kong of permanent Hong Kong residents also enjoy the right to be permanent Hong Kong residents.

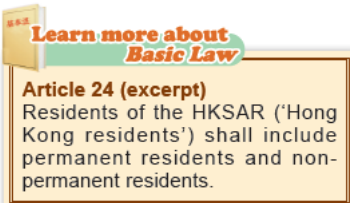
Non-Chinese citizens can be permanent Hong Kong residents if they have entered Hong Kong with valid travel documents, have ordinarily resided here for a continuous period of not less than 7 years and have taken Hong Kong as their place of permanent residence before or after the establishment of the HKSAR. Persons under 21 years of age born in Hong Kong of them can also be permanent residents.

New:

### A. Chinese citizens and permanent residents of Hong Kong



**Learn more about Constitution**  
**Article 33 (excerpt)**  
All persons holding the nationality of the People's Republic of China (PRC) are citizens of the PRC.



**Learn more about Basic Law**  
**Article 24 (excerpt)**  
Residents of the HKSAR ('Hong Kong residents') shall include permanent residents and non-permanent residents.

According to the *Nationality Law of the People's Republic of China*, a Hong Kong resident of Chinese descent born in Chinese territories is a Chinese citizen.

According to the *Basic Law*, all Chinese citizens who were born in Hong Kong or have ordinarily resided in Hong Kong for a continuous period of not less than 7 years before or after the establishment of the Hong Kong Special Administrative Region (HKSAR) are permanent Hong Kong residents. Persons of Chinese nationality born outside Hong Kong of permanent Hong Kong residents also enjoy the right to be permanent Hong Kong residents.

Non-Chinese citizens can be permanent Hong Kong residents if they have entered Hong Kong with valid travel documents, have ordinarily resided here for a continuous period of not less than 7 years and have taken Hong Kong as their place of permanent residence before or after the establishment of the HKSAR. Persons under 21 years of age born in Hong Kong of them can also be permanent residents.



Old:

### B. Permanent residents and non-permanent residents

Permanent residents enjoy the **right of abode** in the HKSAR and are eligible for a Hong Kong permanent identity card. It states that the holder has the right of abode according to the laws of the HKSAR.



Fig. 1.1 On the Hong Kong permanent identity card, the symbol 'A' below the date of birth means that the holder has the right of abode in the HKSAR.

New:

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Fig. 1.1 On the Hong Kong permanent identity card, the symbol 'A' below the date of birth means that the holder has the right of abode in the HKSAR.

Old:



## 2.1 Rights and responsibilities of Hong Kong residents

### A. Rights of Hong Kong residents

Under the protection of the *Basic Law*, Hong Kong residents enjoy many rights and freedoms, which include:

Political, social, economical	<ul style="list-style-type: none"> <li>• Equality before the law</li> <li>• <u>Freedom of speech, freedom of the press</u> and freedom of publication</li> <li>• Freedom of association, of assembly, of procession and of demonstration</li> <li>• Right and freedom to form and join trade unions, and to strike</li> <li>• Shall not be subjected to arbitrary or unlawful arrest, detention or imprisonment</li> <li>• Enjoy the right to social welfare (such as public medical services, unemployment support)</li> </ul>
Cultural, religious, artistic, educational	<ul style="list-style-type: none"> <li>• <u>Freedom of conscience</u></li> <li>• Freedom to engage in academic research, literary and artistic creation, and other cultural activities</li> </ul>
Others	<ul style="list-style-type: none"> <li>• Freedom of marriage</li> <li>• Right to raise a family freely</li> <li>• Freedom of communication</li> </ul>

However, non-permanent Hong Kong residents do not have the right of abode, right to vote or the right to stand for election. Some non-permanent residents cannot enjoy certain rights. For example:

- Foreign domestic helpers do not have freedom of movement within the HKSAR or the freedom of choice of occupation;
- Foreign students who study in Hong Kong cannot enjoy free education or work as interns, unless approved by the school;
- New arrivals who have resided in Hong Kong for less than 7 years do not have the right to apply for some social welfare, including disability allowance, old age allowance and old age living allowance.



## 2.1 Rights and responsibilities of Hong Kong residents

### A. Rights of Hong Kong residents

Under the protection of the *Basic Law*, Hong Kong residents enjoy many rights and freedoms such as protection from laws, [freedom of speech](#), [freedom of the press](#), [freedom of conscience](#) and freedom to enter or leave the Region.

**Learn more about Constitution**

**Article 33 (excerpt)**  
The state shall respect and protect human rights.

**Learn more about Basic Law**

Political, social, economical	<p><b>Article 25</b> All Hong Kong residents shall be equal before the law.</p> <p><b>Article 26</b> Permanent residents of the HKSAR shall have the right to vote and the right to stand for election in accordance with law.</p> <p><b>Article 27</b> Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike.</p> <p><b>Article 28 (excerpt)</b> The freedom of the person of Hong Kong residents shall be inviolable. No Hong Kong resident shall be subjected to arbitrary or unlawful arrest, detention or imprisonment.</p> <p><b>Article 36</b> Hong Kong residents shall have the right to social welfare in accordance with law. The welfare benefits and retirement security of the labour force shall be protected by law.</p>
	<p><b>Article 32 (excerpt)</b> Hong Kong residents shall have freedom of conscience.</p> <p><b>Article 34</b> Hong Kong residents shall have freedom to engage in academic research, literary and artistic creation, and other cultural activities.</p>
	<p><b>Article 30 (excerpt)</b> The freedom and privacy of communication of Hong Kong residents shall be protected by law.</p>
	<p><b>Article 31 (excerpt)</b> Hong Kong residents shall have freedom of movement within the HKSAR and freedom of emigration to other countries and regions. They shall have freedom to travel and to enter or leave the Region.</p> <p><b>Article 37</b> The freedom of marriage of Hong Kong residents and their right to raise a family freely shall be protected by law.</p>

**Learn more about National Security Law**

According to the pamphlet *Q & As on legislation for the HKSAR to safeguard national security* released by the HKSAR Government, the purposes of the *National Security Law* are to prevent, cease and punish crimes, namely acts of secession, subversion of the state power, organising and carrying out terrorist activities, and collusion with foreign or external forces to endanger national security, for preserving 'one country, two systems'. If Hong Kong residents do not perform the above acts that endanger national security, all the basic rights and freedoms legitimately enjoyed by them will remain intact.

**Article 4**  
Human rights shall be respected and protected in safeguarding national security in the HKSAR. The rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, which the residents of the Region enjoy under the *Basic Law* of the HKSAR and the provisions of the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights* as applied to Hong Kong, shall be protected in accordance with the law.

Old:

## B. Responsibilities of Hong Kong residents

Rights and **obligations** are interdependent. For example, we can use public facilities free of charge and we are responsible for keeping them hygienic. As Hong Kong residents, we enjoy different kinds of rights. We should fulfil our legal and moral **responsibilities** at the same time.

### (1) Comply with the law

Complying with the law is our basic responsibility. Laws help to maintain social order and social stability for sustainable development. If everyone violates the laws, society will fail to operate.

### (2) Respect rights and benefits of others

When we perform our rights, we have to respect others and not harm their rights or benefits. For example, we enjoy the freedom of religious belief but we should not attack religious beliefs of others.

### (3) Pay taxes

Hong Kong residents are responsible for paying different kinds of taxes to support the normal operation of the government and various social services. This maintains the stable development of society.

### (4) Fulfil civic responsibilities

As part of society, we should fulfil our civic responsibilities, which include:

New:

#### Learn more about Constitution

##### Article 33 (excerpt)

Every citizen shall enjoy the rights prescribed by the Constitution and the law and must fulfil the obligations prescribed by the Constitution and the law.

#### Learn more about Basic Law

##### Article 42

Hong Kong residents and other persons in Hong Kong shall have the obligation to abide by the laws in force in the HKSAR.

#### Learn more about National Security Law

##### Article 6 (excerpt)

It is the common responsibility of all the people of China, including the people of Hong Kong, to safeguard the sovereignty, unification and territorial integrity of the People's Republic of China.

Any institution, organisation or individual in the HKSAR shall abide by this Law and the laws of the Region in relation to the safeguarding of national security, and shall not engage in any act or activity which endangers national security.

However, non-permanent Hong Kong residents do not have the right of abode, right to vote or the right to stand for election. Some non-permanent residents cannot enjoy certain rights. For example:

- Foreign domestic helpers do not have freedom of movement within the HKSAR or the freedom of choice of occupation;
- Foreign students who study in Hong Kong cannot enjoy free education or work as interns, unless approved by the school;
- New arrivals who have resided in Hong Kong for less than 7 years do not have the right to apply for some social welfare, including disability allowance, old age allowance and old age living allowance.

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Old:

**Learning Activity 4** The level of the rule of law in Hong Kong

Go to 'L.I.F.E.' of Ming Pao, search for the following keywords and watch the videos:

Video 1: 香港的法治水平 (Chinese version only)

Video 2: 民主制度與法治 (Chinese version only)

 <http://las.mpep.com.hk/video>



1. Video 1 mentioned that the concept of the rule of law can be categorised into 4 levels. What are they? **[ Understand ]**

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2. Benny Tai Yiu Ting thinks that the development of the rule of law in Hong Kong is at a high level. Do you agree? Discuss in groups and report in class. **[ Understand ] [ Analyse ]**

3. With reference to Video 2, what is the importance of democratic systems to the rule of law? Discuss in groups and report in class. **[ Analyse ]**

New:



**Learning Activity**

**4**

**The level of the rule of law in Hong Kong**

Study the following information carefully and answer the questions.

**Source 1**

Hong Kong legal scholar Albert Chen Hung Yee illustrated the concept of the rule of law with 10 levels:

Level	Concept	Description
1	Social and public order	People's lives and property are protected from harm, violation and damage.
2	Legal basis for government actions	Anything done by any citizen, political leader or government official must be legally justified.
3	Restrictions on the exercise of powers	Arbitrary powers must be curtailed by clear rules.
4	Judicial independence	The judiciary must be independent of the executive authorities, and not favour the government or a particular power.
5	Executive authorities obeying decisions of the courts	The executive authorities must respect and obey the law and the decisions of the courts in interpreting and enforcing the law.
6	Everyone is equal before the law	No one should be discriminated against or favoured for any reason in the administration of justice.
7	Basic standards of justice	The law should meet certain basic standards of justice, including substantive and procedural justice.
8	Criminal law compliant with human rights	Criminal law must conform to certain basic principles, such as clarity of provisions, to prevent abusive use of criminal law.
9	Human rights and freedoms	The people should have the right to elect their own governments, which should be accountable to the people and protect human rights and fundamental freedoms.
10	Value and dignity of human	The belief that the foundation of all laws is the respect for human values.

Low

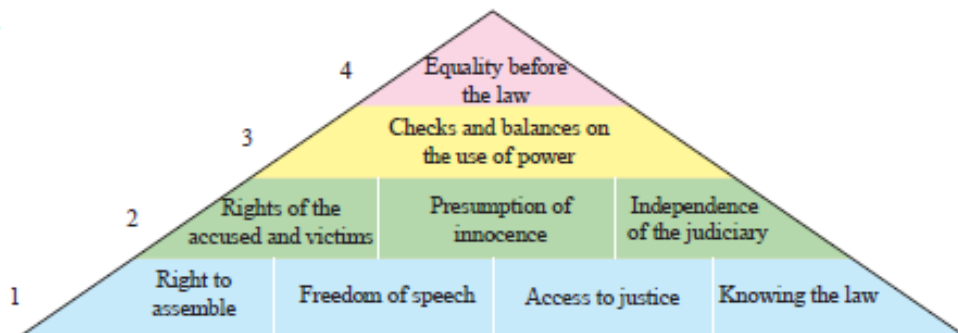
High

Albert Chen believes that the concept of the rule of law is an ideal, and different levels of this ideal can be realised in different degrees in the real social environment.

*'The Concept of the Rule of the Law', Democracy and Science (2007)*

**Source 2**

With the Rule of Law Pyramid, Rule of Law Education Centre (formerly Australia's Magna Carta Institute) proposed 4 levels in describing the level or degree of practice of the rule of law in Australia.



Website of the Rule of Law Institute of Australia (2021)

1. According to Source 1, the rule of law can be divided into 10 levels. What are the levels respectively? [Understand]

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2. With reference to Source 2, which concept of the rule of law do you think is most important? Discuss in groups and report in class. [Understand] [Analyse]

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### Page 37 (Focus Learning A)

Old:

society. The principles of the rule of law include:

#### A. Equality before the law

In order to ensure that everyone enjoys equal rights and bears responsibilities, everyone should comply with the law. 'All persons are equal before the law' means that everyone will be treated equally regardless of their status. No one will have special treatment due to special identity or status. For example, anyone who violated the law will be charged, even government officials (people in power). The legal system also ensures that everyone can make petitions through the justice system. Both the petitioners and the accused will be judged fairly. The court will adopt the same standard to evaluate cases and make judgements so as to protect the rights of everyone.

New:

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**Learn more about Constitution**

**Article 33 (excerpt)**  
Every citizen shall enjoy the rights prescribed by the Constitution and the law and must fulfil the obligations prescribed by the Constitution and the law.

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**Learn more about Basic Law**

**Article 25**  
All Hong Kong residents shall be equal before the law.

Old:

### B. An open legal system

With an open legal system, we can know about personal rights and benefits. A public trial allows us to know how the court decides whether the accused is guilty or not. Also, the operation and procedures of the legal system should have a high level of transparency so that we can monitor and participate in it.

### C. Judicial independence

The judiciary (justices) only makes judgements according to the law, truths and evidence. It will not be affected by any external factors. This can ensure everyone is equal. Also, the system and operation of the judiciary, like the appointment of justices and salary adjustments, should not be controlled by the executive authorities or legislature. There should be an independent operation mechanism so that the consistency and fairness of the legal system can be ensured. This prevents the law from becoming a tool of people in power.

### D. Presumption of innocence

According to the *Basic Law*, anyone who is lawfully arrested shall be presumed innocent until convicted by the judiciary in criminal proceedings so as to protect [human rights](#).



Fig. 3.3 Andrew Li Kwok Nang, the ex-Chief Justice of the Court of Final Appeal, said that the rule of law and judicial independence are of 'utmost importance' in maintaining the prosperity of Hong Kong.

New:

### B. An open legal system

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According to the *Basic Law*, anyone who is lawfully arrested shall be presumed innocent until convicted by the judiciary in criminal proceedings so as to protect [human rights](#).

Learn more about *Basic Law*

**Article 19 (excerpt)**  
The HKSAR shall be vested with independent judicial power, including that of final adjudication.

Learn more about *Basic Law*

**Article 87 (excerpt)**  
Anyone who is lawfully arrested shall have the right to a fair trial by the judicial organs without delay and shall be presumed innocent until convicted by the judicial organs.



Fig. 3.3 Andrew Li Kwok Nang, the ex-Chief Justice of the Court of Final Appeal, said that the rule of law and judicial independence are of 'utmost importance' in maintaining the prosperity of Hong Kong.



Old:

Life and Society 21 Rights and Responsibilities of Citizens



### Interpretation of the *Basic Law* and judicial independence

The *Basic Law* vests HKSAR independent judicial power and the power of final adjudication. However, the power of interpretation of the *Basic Law* shall be vested in the Standing Committee of the National People's Congress (NPCSC). Hong Kong courts can interpret provisions of the *Basic Law* on their own in adjudicating cases but under specific situations\*, the Court of Final Appeal is responsible for seeking an interpretation of related provisions by the NPCSC. Since the handover to the end of 2013, the NPCSC has interpreted the *Basic Law* 4 times.

New:

Life and Society 21 Rights and Responsibilities of Citizens



#### Article 67 (1, 4)

The National People's Congress Standing Committee shall exercise the following functions and powers:  
(1) interpreting the Constitution and overseeing its enforcement; (4) interpreting laws



### The 5 interpretations of the *Basic Law* by the NPCSC

According to Article 2 of the *Basic Law*, the National People's Congress authorises the HKSAR to enjoy independent judicial power and the power of final adjudication. According to Article 158 of the *Basic Law*, the power of interpretation of the *Basic Law* is vested in the Standing Committee of the National People's Congress (NPCSC). The Court of Final Appeal of the HKSAR has repeatedly pointed out that the power of the NPCSC to interpret the *Basic Law* originates from the *Constitution* and the *Basic Law*. Hong Kong courts can interpret provisions of the *Basic Law* on their own in adjudicating cases but under specific situations\*, the Court of Final Appeal is responsible for seeking an interpretation of related provisions by the NPCSC. Since the handover to the end of 2019, the NPCSC has interpreted the *Basic Law* 5 times.

Old:



### What is civil disobedience?

Civil disobedience is also known as an uncooperative movement or non-resistance movement. It is a concept put forward by American author Henry David Thoreau in his essay in 1849, *Resistance to Civil Government*. At that time, he refused to pay taxes to the United States Federal Government out of opposition of wars and slavery. He was sent to jail as he violated the laws openly.



Fig. 3.8 Henry David Thoreau, an American author

Civil disobedience means to deliberately break the law through peaceful and non-violent actions to express discontent towards an unjustified situation and arouse public awareness in order to promote changes in social systems and laws. For example, Gandhi in India countered the British colonial government through a movement refusing to pay the salt tax. Martin Luther King in the United States organised a bus boycott to request for the end of apartheid on public transport.

However, using civil disobedience to express discontent is very controversial. Others prefer to wait for the government to confront the problem. Recently, the 'Occupy Central' movement is the centre of controversies in Hong Kong. The promoter claimed that he hopes to strive for universal suffrage, fulfilling the will of people through civil disobedience. But people in opposition think that the 'Occupy Central' movement will bring about negative impacts like destroying the rule of law, paralysing the role of Hong Kong as an economic centre, harming participants' safety and others' benefits.

Summary of local news and media reviews in January and July 2013

New:



### Civil disobedience

Under special situations, some people fail to find solutions to change the unjustified legal and social status quo so they choose to initiate civil disobedience in a means of peace and non-violence. However, if the action involves violence, it is in conflict with the rule of law. For example, the Court of Final Appeal has rendered a judgment, confirming that if acts of civil disobedience violate criminal law and use violence, the person concerned will be convicted and imprisoned, and will not be able to seek a reduction in sentence on the grounds of civil disobedience.

Summary of local news in February 2018

#### Learn more about National Security Law

Chapter 3 of the *National Security Law* stipulated 4 offences which endanger national security, including 'secession', 'subversion', 'terrorist activities', and 'collusion with a foreign country or with external elements to endanger national security'. A person who organises, plans, commits or participates in any of the 4 offences mentioned, whether or not by force or threat of force or other unlawful means, shall be guilty of an offence, and will be sentenced according to the seriousness of the circumstances.

Old:

## Module Features



Learning outcomes predicted in point form.



Content learning through inquiry activities for multiple learning styles.



Explanations reinforce and deepen knowledge acquired through activities.



Inductive summary in point form.



Further explanations on main **concept words** (highlighted in blue) for understanding of more relevant information.



Extended questions in articles, pictures and mind mapping offer students opportunities to reflect and express acquired knowledge.



Key points summarised as concept map help students in using and understanding of concept words.



Quick and easy reference of special terms and vocabularies (underlined with a grey dotted line) helps students to understand the content in a bilingual way.



Current affairs and critical questions as independent learning materials, enables students to do preparation before lessons and get motivated in learning.



Questions to trigger students' interest and critical thinking.



Inspiring questions promote deeper thinking of knowledge and concepts.



Diversified supplementary information allows students to carry out learning activities on reinforced knowledge foundation.



Diverse elements help to enhance independent learning for students.



Daily categorised news reports and updated statistical charts can be downloaded through scanning of QR codes. A resource bank of supplementary worksheets, question bank and multimedia materials are provided to complement the overall needs of independent learning.

New:

## Module Features



Learning outcomes predicted in point form.



Quick and easy reference of special terms and vocabularies (underlined with a grey dotted line) helps students to understand the content in a bilingual way.



To deepen students' understanding of the *Constitution* with its original texts.



To deepen students' understanding of the *Basic Law* with its original texts.



To deepen students' understanding of the *National Security Law* by studying its background, original texts and main contents.



Current affairs and critical questions as independent learning materials, enables students to do preparation before lessons and get motivated in learning.



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