

Chapter 2

The Legal System

‘Our judicial independence is premised on the solid infrastructure that has been laid down primarily in the Basic Law – the security of tenure, the immunity of judges, the non-revolving door, and importantly the expressed provision in Article 85 of the Basic Law that guarantees judicial independence, free from any interference’
– Secretary for Justice, Ms Teresa Cheng Yeuk-wah, SC,
at the ceremonial opening of the Legal Year 2021.

The legal system of the Hong Kong Special Administrative Region (HKSAR) of the People’s Republic of China (PRC) differs from that of the Mainland, and is based on the common law.

Basic Law

The HKSAR’s constitutional framework is provided by the Basic Law, enacted by the National People’s Congress (NPC) under Article 31 of the Constitution of the PRC.

Since the establishment of the HKSAR on 1 July 1997, the gradual development of a body of jurisprudence on the Basic Law has reinforced its effectiveness in determining the rights and freedoms guaranteed to the people of Hong Kong.

Law in HKSAR

As provided in Article 18 of the Basic Law, the laws in force in the HKSAR are:

- the Basic Law;
- the laws previously in force in Hong Kong before 1 July 1997 (including the common law, rules of equity and customary law as well as statutory law as referred to in Article 8 of the Basic Law), other than those not adopted as laws of the HKSAR in accordance with the Decision by the NPC’s Standing Committee (NPCSC) made under Article 160 of the Basic Law because they contravened the Basic Law;
- laws enacted by the HKSAR’s legislature which, according to Article 11(2) of the Basic Law, shall not contravene the Basic Law; and
- the national laws listed in Annex III to the Basic Law and as applied to the HKSAR by way of promulgation or legislation.

Under Article 158 of the Basic Law, the power of interpretation of the Basic Law is vested in the NPCSC. Hong Kong courts are authorised to interpret the Basic Law in adjudicating cases.

National laws that may be added to Annex III to the Basic Law by the NPCSC are confined to those relating to defence and foreign affairs, and other matters outside the HKSAR's autonomy.

The Chinese and English texts of the HKSAR's legislation are equally authentic. The Hong Kong e-Legislation website provides current and past versions of consolidated legislation dating back to 30 June 1997 and copies of legislation marked 'verified copy' have legal status. The hard-copy loose-leaf edition of legislation is being phased out.

Continuation of Common Law System and Judicial System

The common law system has been maintained by the Basic Law since the PRC's resumption of the exercise of sovereignty over Hong Kong on 1 July 1997 through the continuation of the application of the laws previously in force in Hong Kong.

The judicial system previously practised in Hong Kong has been maintained except for those changes consequent upon the establishment of the Hong Kong Court of Final Appeal on 1 July 1997, which replaced the Judicial Committee of the Privy Council as the appellate court exercising the power of final adjudication for Hong Kong. Pursuant to the Basic Law, judges from other common law jurisdictions have been invited to sit on the Court of Final Appeal since 1 July 1997.

Judges, magistrates and other judicial officers are appointed by the Chief Executive on the recommendation of the independent Judicial Officers Recommendation Commission, which is chaired by the Chief Justice of the Court of Final Appeal, with the Secretary for Justice, two other judges, two persons from the legal profession and three lay persons as members. Under the Basic Law, judges shall be chosen on the basis of their judicial and professional qualities and may be appointed from other common law jurisdictions. The Basic Law also provides that judges may be removed from office only for inability to discharge their duties or for misbehaviour, on the recommendation of a tribunal appointed by the Chief Justice and consisting of at least three local judges. Articles 2 and 19 of the Basic Law provide that the HKSAR enjoys independent judicial power, including that of final adjudication, which is vested in the Court of Final Appeal under Article 82. Pursuant to Article 85 of the Basic Law, the HKSAR courts shall exercise judicial power independently, free from any interference.

Legal Protection for Rights of the Individual

Chapter III of the Basic Law prescribes the fundamental rights and duties of Hong Kong residents. Among others, Article 39 provides that the provisions of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the HKSAR.

Protection against discrimination is provided for in the Sex Discrimination Ordinance, Disability Discrimination Ordinance, Family Status Discrimination Ordinance and Race Discrimination

Ordinance, which are enforced by the Equal Opportunities Commission, while the Personal Data (Privacy) Ordinance, which is administered by the Privacy Commissioner for Personal Data, protects the privacy of individuals in relation to personal data.

Fifteen international human rights treaties are applicable to Hong Kong. Some of these are implemented in the HKSAR by specific legislation, such as the Hong Kong Bill of Rights Ordinance, which implements the provisions of the ICCPR as applied to Hong Kong, while others are implemented by various legislative measures. Seven of these (the ICCPR; ICESCR; International Convention on the Elimination of All Forms of Racial Discrimination; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of the Child; Convention on the Elimination of All Forms of Discrimination against Women; and United Nations (UN) Convention on the Rights of Persons with Disabilities) require states parties to submit periodic reports and other requested information to UN treaty monitoring bodies. With the exception of the ICCPR, which does not apply to the Mainland of China, the HKSAR submits these reports as part of corresponding reports submitted by China, and HKSAR teams attend hearings of the relevant treaty bodies as part of the Chinese delegation. The HKSAR delegation attends ICCPR hearings under the leadership of the Chinese Permanent Representative and Ambassador to the UN. In addition, the UN Human Rights Council conducts a Universal Periodic Review of the human rights situation in all UN member states.

Department of Justice

The Department of Justice, headed by the Secretary for Justice, plays a significant role in the legal system and in upholding the rule of law in Hong Kong. The Secretary for Justice is the government's chief legal adviser and represents the government in all actions brought by, or against, it. The Secretary for Justice also has a constitutional duty to make prosecutorial decisions independently, free from any interference.

There are six legal divisions in the department.

The Civil Division provides legal advice on civil matters to the government and represents the government in the conduct of all civil claims and disputes, including judicial review. The division is also responsible for implementing initiatives to promote mediation and arbitration services in Hong Kong.

The Constitutional and Policy Affairs Division advises government departments and bureaus on whether proposed legislation, or a particular policy, is consistent with the Basic Law, international human rights standards as applied in Hong Kong, and established principles underlying the legal system. The division is also responsible for new legislation promoted by the Secretary for Justice. It also has a specialist unit which addresses the need for advice on Mainland law and promotes understanding and cooperation between the two places in relation to legal and dispute resolution matters.

The International Law Division provides legal advice on public international law to the government, negotiates international agreements or provides legal advisers for such

negotiations, and handles requests for legal cooperation between the HKSAR and other jurisdictions.

The Law Drafting Division drafts all legislation proposed by the government, vets the form of draft legislation proposed by non-governmental bodies, and updates the consolidated legislation on the Hong Kong e-Legislation website.

The National Security Prosecutions Division, established in accordance with the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, is responsible for the prosecution of offences endangering national security and other related legal work.

The Prosecutions Division prosecutes trials and appeals on behalf of the HKSAR, and provides legal advice to law enforcement agencies upon request. By virtue of Article 63 of the Basic Law, the department controls all criminal prosecutions, free from interference. In conducting prosecution work, the division's prosecutors must make an objective and professional assessment of the available evidence and applicable law, and act in accordance with the Prosecution Code.

The Inclusive Dispute Avoidance and Resolution Office was established under the Secretary for Justice's Office in 2019. Its work includes planning and taking forward initiatives to strengthen Hong Kong as an ideal hub for deal-making and dispute resolution, as well as promoting the rule of law and inclusive development in the Asia-Pacific region and beyond.

In 2021, the department saw some developments and achievements under the following policy objectives.

International Legal and Dispute Resolution Services

Guangdong-Hong Kong-Macao Greater Bay Area Development

The inaugural Greater Bay Area Legal Professional Examination was held in Hong Kong in July. Passing candidates are given intensive training by the Guangdong Lawyers Association and, on obtaining the relevant lawyer's practise certificate, can practise specific areas of Mainland law in the nine Mainland municipalities of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA).

To facilitate high-level cooperation among the legal departments of Guangdong, Hong Kong and Macao in setting standards and promoting mediation, the GBA Mediation Working Group was set up to discuss various standards applicable to GBA mediators, which were endorsed at the third GBA Joint Conference meeting in December.

Mutual Cooperation/Assistance with the Mainland Authorities

In May, the Arbitration Ordinance was amended to implement a supplemental arrangement, signed with the Mainland in 2020, that will bring the existing mechanism for mutual enforcement of arbitral awards between the Mainland and Hong Kong more in line with international practice.

Also in May, a record of meeting was signed with the Mainland to establish a mechanism under which Hong Kong liquidators or provisional liquidators may apply to certain Mainland courts in the designated pilot areas of Shanghai, Xiamen and Shenzhen for recognition of and assistance in insolvency and debt restructuring proceedings in Hong Kong. Such assistance may include an investigation into the debtor's financial position and taking over the debtor's property.

During July, records of meeting were signed with the Supreme People's Court and the Supreme People's Procuratorate to facilitate exchanges, cooperation and training in legal and dispute resolution services between the Mainland and Hong Kong. A framework arrangement concerning legal talent exchange and training cooperation was also concluded with the Ministry of Justice to develop more two-way cooperation channels. To enhance experience and knowledge exchanges between Mainland enterprises and the Hong Kong legal profession, a memorandum of cooperation under the tripartite communication platform was entered between the department, the Department of Treaty and Law of the Ministry of Commerce and the Bureau of Policies, Laws and Regulations of the State-owned Assets Supervision and Administration Commission of the State Council.

International Cooperation and Promotion

Hong Kong is authorised under the Basic Law to conduct relevant external affairs and use the name 'Hong Kong, China' to conclude and implement agreements with foreign states and regions and international organisations in appropriate fields, including economic, trade, financial and monetary, shipping, communication, tourism, cultural and sports.

As members of the Chinese delegation, the department's counsel participated in various meetings of the Hague Conference on Private International Law (HCCH), the United Nations Commission on International Trade Law (UNCITRAL), and the International Institute for the Unification of Private Law (UNIDROIT). The department's counsel also took part in UNCITRAL working groups related to investor-state dispute settlement reform and the judicial sale of ships. With the support of the Central People's Government (CPG), the department also co-organised with UNCITRAL intersessional events that contributed to international rule-making on investment mediation, including hosting a meeting in Hong Kong in October.

The department organised various international capacity building events, including the fourth UNCITRAL Asia Pacific Judicial Summit as well as a workshop on online dispute resolution in collaboration with the Association of Southeast Asian Nations (ASEAN) Secretariat, under the free trade agreement between Hong Kong, China and ASEAN member states, during Hong Kong Legal Week.

The department played a leading role in developing the Enhanced Asia-Pacific Economic Cooperation (APEC) Agenda for Structural Reform to further the work under the APEC Collaborative Framework for Online Dispute Resolution of Cross-Border Business-to-Business Disputes that Hong Kong opted into, and entered into a memorandum of understanding with the APEC Secretariat to create and contribute to a sub-fund to strengthen economic legal infrastructure.

The Asian-African Legal Consultative Organisation, dedicated to international law spanning Asia and Africa, hosted its annual session in Hong Kong for the first time from 29 November to 1 December. The Secretary for Justice, Ms Teresa Cheng Yeuk-wah, SC, was elected president and chaired the three-day meeting. An agreement was signed between the CPG and the organisation on 10 November to establish a regional arbitration centre in Hong Kong.

LawTech Development

A fund was established in 2021 to develop the Hong Kong Legal Cloud providing safe, secure and affordable data storage services for local legal and dispute resolution industries.

Pursuant to the memorandum of understanding signed between the department and UNCITRAL, a project office for collaboration was established to work on the greater use of technology in international trade, including online dispute resolution. The Inclusive Global Legal Innovation Platform for Online Dispute Resolution, of which the project office acts as secretariat, was set up to explore international developments in online dispute resolution.

Education on the Constitution, Basic Law and National Security

National Security Law Legal Forum

To enhance understanding and awareness of the national security law, the department held a legal forum in July, bringing together legal experts and academics to discuss and exchange views on the construction and application of the national security law. The department also published with the Security Bureau a booklet of articles and reference materials on the national security law, which was distributed to legal professionals, academics and students to deepen their understanding of the law.

Strengthening Local Rule of Law Education

Vision 2030 for Rule of Law

Following the launch of the Vision 2030 for Rule of Law initiative in 2020, which seeks to promote understanding and recognition of the rule of law and contribute to the sustainable development of inclusive and rule-based societies at both local and international levels, the rule of law database was launched during Hong Kong Legal Week in November 2021. Activities promoting the rule of law and Basic Law education under the '3Es' – engagement, empowerment and enrichment – were organised and the Rule of Law Enlightenment programme was introduced. The department also helped prepare teaching materials on the rule of law.

Attracting and Retaining Legal Talent

The department supports the development of local legal talent by offering internships and placements, and by engaging less experienced lawyers to undertake court work.

The department reached an agreement with the Hague Academy of International Law to organise regular courses in Hong Kong, starting in 2022, on international law, together with the Asian Academy of International Law, to provide training for legal professionals in Hong Kong and neighbouring regions.

Secondment arrangements with various international organisations, such as the Asian Infrastructure Investment Bank, HCCH, UNCITRAL and UNIDROIT, provide training and employment opportunities for Hong Kong legal professionals from both the private and public sectors.

Combined DoJ Glossaries of Legal Terms

To promote legal bilingualism, the Department of Justice published in 2021 the electronic Combined DoJ English-Chinese and Chinese-English Glossaries of Legal Terms for public use. They contain entries from all divisions of the department, link to relevant materials such as legislative examples and are easily searchable.

The Judiciary

As prescribed in the Basic Law, the HKSAR has been authorised by the NPC to exercise independent judicial power, including the power of final adjudication. It has also been stated in express terms that the HKSAR's courts shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions. As reflected in their judicial oath, in exercising their judicial power, judges are constitutionally required to determine and handle cases strictly in accordance with the law and legal principles.

In line with the principle of judicial independence, the pay and conditions of service of judges and judicial officers is determined by the Chief Executive-in-Council on the advice of an independent Standing Committee on Judicial Salaries and Conditions of Service.

The Chief Justice is the head of the Judiciary, assisted in its overall administration by the Judiciary Administrator.

The Court of Final Appeal, headed by the Chief Justice, is the HKSAR's highest appellate court. There are three permanent judges, four non-permanent Hong Kong judges and 12 non-permanent judges from other common law jurisdictions. The court, when sitting, will comprise five judges – usually the Chief Justice, three permanent judges and one non-permanent judge from another common law jurisdiction. If the Chief Justice is not available to sit, one of the three permanent judges will preside and an additional Hong Kong non-permanent judge will sit. If a permanent judge is not available to sit, again a Hong Kong non-permanent judge will sit in his place. The Registrar deals mainly with interlocutory and taxation matters.

The High Court, comprising the Court of Appeal and Court of First Instance, is headed by the Chief Judge of the High Court. There are 14 Justices of Appeal and 34 Judges of the Court of First Instance on the establishment. The Registrar, Senior Deputy Registrars and Deputy Registrars deal mainly with interlocutory and taxation matters.

The Court of Appeal hears civil and criminal appeals from the Court of First Instance, Competition Tribunal, District Court and Lands Tribunal. The Court of First Instance has unlimited jurisdiction in all civil and criminal matters. Civil matters are usually tried by Court of First Instance judges sitting without juries, although there is a rarely used provision for jury trials

in certain cases, including defamation. Unless the law stipulates otherwise, serious criminal offences in the Court of First Instance are tried by a judge with a jury of seven or, when a judge so orders, a jury of nine. The Court of First Instance also hears appeals from the Magistrates' Courts, Labour Tribunal, Small Claims Tribunal and Obscene Articles Tribunal as well as appeals from the Minor Employment Claims Adjudication Board.

The Competition Tribunal has primary jurisdiction to hear and adjudicate competition-related cases. All judges of the Court of First Instance are members of the tribunal, while the Registrar, Senior Deputy Registrars and Deputy Registrars of the High Court hold the corresponding positions in the tribunal.

The District Court, which also includes the Family Court, is led by the Chief District Judge, who is assisted by the Principal Family Court Judge. There are, at present, 42 District Judges on the establishment. The Registrar and Deputy Registrars deal mainly with civil interlocutory matters and taxation of costs. The District Court has civil and criminal jurisdiction and powers as are conferred upon it by enactment. Its general civil jurisdiction is limited to claims up to \$3 million, or for recovery of land where the annual rent, rateable value or annual value of the land does not exceed \$320,000. The maximum sentencing power in criminal cases is seven years' imprisonment. There is no jury trial in the District Court.

The Family Court has 10 courts. It hears applications pertaining to divorce, separation and related family and matrimonial matters such as applications concerning children and financial relief. Notwithstanding the District Court's limited general civil jurisdiction, there is no monetary limit in the Family Court. It also deals with applications under domestic violence legislation and the Inheritance (Provision for Family and Dependents) Ordinance. Most hearings are conducted in private, save for defended divorces and enforcement actions.

The seven Magistrates' Courts process about 90 per cent of criminal cases. Led by the Chief Magistrate, the team, excluding Deputy Magistrates, comprises seven Principal Magistrates, 62 Permanent Magistrates and one Special Magistrate. Magistrates exercise criminal jurisdiction over a wide range of offences. Their sentencing power is generally limited to two years' imprisonment and a \$100,000 fine, though statutory provisions empower them to impose up to three years' imprisonment and a \$5 million fine. They handle cases in the Juvenile Courts, which deal with offences, except homicide, committed by children and young persons below the age of 16. In addition to Permanent and Deputy Magistrates, Special Magistrates can also handle departmental summonses for offences such as traffic contraventions, but their sentencing power is limited to imprisonment for six months and a maximum fine of \$50,000 or as specified in their warrants of appointment.

The Lands Tribunal is led by a President who is a High Court Judge and comprises presiding officers who are District Judges and members who may be experienced professional surveyors. The tribunal handles tenancy claims, building management matters, rating and valuation appeals, applications for the compulsory sale of land for redevelopment, and compensation assessments when land is resumed by the government or reduced in value by development. The Labour Tribunal handles claims arising from employment contracts and the Employment

Ordinance. The Small Claims Tribunal handles civil claims of up to \$75,000. The Obscene Articles Tribunal determines whether articles are obscene or indecent. It also classifies articles submitted by authors and publishers. The Coroner's Court conducts inquests into the causes and circumstances of a death.

According to the Basic Law and Official Languages Ordinance, the courts can use either or both Chinese and English, the two official languages, in any proceedings.

Legal Aid

Publicly funded legal aid services are provided through the Legal Aid Department and the Duty Lawyer Service. Legal aid ensures a person who has reasonable grounds for taking or defending a legal action in Hong Kong courts is not prevented from doing so because of a lack of means.

Legal Aid in Civil Cases

The department runs an Ordinary Legal Aid Scheme for civil proceedings in the District Court, Court of First Instance, Court of Appeal and Court of Final Appeal; applications to the Mental Health Review Tribunal; and death inquests if the interests of public justice so require. Major types of cases covered include family disputes, personal injury claims, employment disputes, disputes related to landed properties, contractual disputes, immigration matters and professional negligence claims.

The department provides legal aid services to eligible applicants who pass both means test and merits test regardless of their place of residence or nationality. The means test requires applicants to show their financial resources (the sum of the person's annual disposable income and total disposable capital after deducting a statutory allowance and certain deductible items) do not exceed \$420,400. For applicants aged 60 or above, the test also disregards the first \$420,400 when calculating the disposable capital.

The Director of Legal Aid may waive the statutory financial eligibility limit in meritorious cases where a breach of the Hong Kong Bill of Rights Ordinance or an inconsistency with the ICCPR as applied to Hong Kong is an issue.

The merits test requires applicants to satisfy the director that there are reasonable grounds for bringing or defending the civil proceedings.

The department will arrange a solicitor and/or a barrister to act for the eligible applicant after legal aid is granted. Aided persons may have to pay a contribution, depending on their financial resources, and are required to repay all the expenses incurred in the proceedings that are not recovered from the opposite party out of the property recovered or preserved on their behalf in the proceedings.

An applicant who is refused civil legal aid may appeal to the Registrar of the High Court or, for Court of Final Appeal cases, to a Review Committee chaired by the Registrar of the High Court and with a barrister and a solicitor as members.

Supplementary Legal Aid Scheme

This scheme helps people whose financial resources exceed the Ordinary Scheme's limit, allowing an eligibility limit of \$2,102,000. The scheme covers the following types of cases where the claim is likely to exceed \$75,000: personal injury or death claims; medical, dental or professional negligence claims against nine professions; negligence claims against insurers or their intermediaries in respect of the taking out of personal insurance products; monetary claims against vendors in the sale of first-hand residential properties; professional negligence claims against certain financial intermediaries under the Securities and Futures Ordinance; and certain monetary claims in respect of derivatives of securities, currency futures or other futures contracts. It also covers employees' compensation claims and representation for employees in appeals against awards made by the Labour Tribunal regardless of the amount in dispute.

The scheme is self-financing, being funded by contributions from aided persons and a percentage payment deducted from damages or compensation recovered on their behalf.

Legal Aid in Criminal Cases

Legal aid is available under the Ordinary Legal Aid Scheme for committal proceedings in the Magistrates' Courts, criminal trials in the District Court and the Court of First Instance and appeals from the Magistrates' Courts and appeals to the Court of Appeal and the Court of Final Appeal. Applicants who pass the means test receive legal aid for trial, provided the Director of Legal Aid is satisfied it is desirable in the interests of justice to grant legal aid.

The director has the discretion to grant legal aid in a criminal case where the applicant's financial resources exceed the eligibility limit, if the director is satisfied it is desirable in the interests of justice to do so, subject to the payment of a contribution at higher rates calculated according to the applicant's financial resources.

An applicant who passes the means test but is refused legal aid may apply to a judge for legal aid to be granted. The Review Committee hears appeals against the refusal of legal aid for appeals to the Court of Final Appeal.

Legal Aid Cases in 2021

	Civil Cases		Criminal Cases
	Ordinary Scheme	Supplementary Scheme	Ordinary Scheme
Number of applications	11,683	192	3,209
Number of certificates granted	4,821	95	2,431
Amount of legal expenditure incurred	\$723.4 million	\$12 million*	\$344.7 million
Monies recovered	\$1,312.1 million	\$77.1 million*	N/A

* The figures are unaudited.

Official Solicitor

The Director of Legal Aid is also the Official Solicitor, appointed under the Official Solicitor Ordinance. The Official Solicitor's main duties are to act as 'guardian ad litem' or 'next friend' in legal proceedings for persons under a disability of age or who are mentally incapacitated, as representative of deceased persons' estates for the purpose of legal proceedings, as Official Trustee and Judicial Trustee, and as committee of the estate of mentally incapacitated persons. In 2021, the Official Solicitor took up 282 new cases.

Legal Advice Scheme for Unrepresented Litigants on Civil Procedures

The Legal Advice Scheme for Unrepresented Litigants on Civil Procedures under the Administration Wing, Chief Secretary for Administration's Office, provides free legal advice on civil procedural matters for unrepresented litigants. Applicants whose income does not exceed \$50,000 per month or \$600,000 per year and have not engaged lawyers, nor been granted legal aid, are eligible. The scheme covers litigants who commence or are parties to civil legal proceedings in the Lands Tribunal, Family Court, District Court or courts at levels above. In 2021, a total of 2,781 advice sessions were given to eligible applicants.

Director of Intellectual Property

The office of the Director of Intellectual Property runs the Intellectual Property Department, which operates four registries for trademarks, patents, designs and copyright licensing bodies. With regard to intellectual property, the department makes recommendations on policy and legislation, provides civil legal advice to the government, and promotes public awareness of and respect for intellectual property rights. It also facilitates and promotes Hong Kong's development as a regional intellectual property trading centre.

Equal Opportunities Commission

The Equal Opportunities Commission is an independent statutory body that implements anti-discrimination legislation. There are four anti-discrimination ordinances: the Sex Discrimination Ordinance, Disability Discrimination Ordinance, Family Status Discrimination Ordinance and Race Discrimination Ordinance. The commission's functions include working towards the elimination of discrimination on the grounds of sex, marital status, pregnancy, breastfeeding, disability, family status and race, and towards the elimination of sexual harassment, harassment on the grounds of breastfeeding, and harassment and vilification on the grounds of disability and race.

In 2021, the commission received 2,501 enquiries and 1,007 complaints relating to the four ordinances. A total of 152 complaint cases were conciliated successfully.

Office of the Privacy Commissioner for Personal Data

The Office of the Privacy Commissioner for Personal Data is an independent statutory body established under the Personal Data (Privacy) Ordinance to monitor, supervise and promote compliance with the ordinance.

In 2021, the office received 3,151 complaints, 17,651 enquiries and 31 matching procedure consent applications. It also conducted 383 compliance actions and published 12 guidance notes.

The office organised 396 talks, seminars, workshops and meetings with stakeholders to promote public and industry knowledge and understanding of personal data privacy, including 23 professional workshops for data users.

Websites

Administration Wing, Chief Secretary for Administration's Office: www.admwing.gov.hk

Combined DoJ English-Chinese and Chinese-English Glossaries of Legal Terms:

www.glossary.doj.gov.hk

Constitutional and Mainland Affairs Bureau: www.cmab.gov.hk

Department of Justice: www.doj.gov.hk

Equal Opportunities Commission: www.eoc.org.hk

Hong Kong e-Legislation: www.elegislation.gov.hk

Hong Kong's legal services: www.legalhub.gov.hk

Intellectual Property Department: www.ipd.gov.hk

Judiciary: www.judiciary.hk

Legal Aid Department: www.lad.gov.hk

Office of the Privacy Commissioner for Personal Data: www.pcpd.org.hk

Treaties and international agreements: www.doj.gov.hk/eng/laws/treaties.html