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**Interpretation by the Standing Committee of the
National People's Congress of Article 14 and Article 47
of the Law of the People's Republic of China on
Safeguarding National Security in the
Hong Kong Special Administrative Region**

(Adopted at the 38th Session of the Standing Committee of the
Thirteenth National People's Congress on 30 December 2022)

At its 38th Session, the Standing Committee of the Thirteenth National People's Congress deliberated the State Council's Proposal Regarding the Request for an Interpretation of Relevant Articles of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region. The State Council's proposal was put forward in response to the relevant report submitted by the Chief Executive of the Hong Kong Special Administrative Region (HKSAR) to the Central People's Government. In accordance with the provisions of Subparagraph (4) of Article 67 of the Constitution of the People's Republic of China and Article 65 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, the Standing Committee of the National People's Congress hereby gives the following interpretation on the meaning and application of the provisions of Article 14 and Article 47 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region:

1. In accordance with the provisions of Article 14 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, the Committee for Safeguarding National Security of the HKSAR assumes statutory duties and functions for safeguarding national security in the HKSAR and has the power to make judgements and decisions on the question whether national security is involved; and information relating to its work is not subject to disclosure. Decisions made by the Committee for Safeguarding National Security of the HKSAR are not amenable to judicial review and have enforceable legal effect. No institution, including the executive authorities, legislature and judiciary, organisation or individual in the HKSAR shall interfere with the work of the Committee for Safeguarding National Security of the HKSAR; they shall all respect and implement the decisions of the Committee for Safeguarding National Security of the HKSAR.

2. In accordance with the provisions of Article 47 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, the courts of the HKSAR shall request and obtain a certificate from the Chief Executive to certify whether an act involves national security or whether the relevant evidence involves State secrets when such questions arise in the adjudication of a case concerning an offence endangering national security. The certificate shall be binding on the courts.

3. The relevant report submitted by the Chief Executive of the HKSAR to the Central People's Government on 28 November in accordance with the provisions of Article 11 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region is of the view that overseas lawyers not qualified to practise generally in the HKSAR may pose national security risks when serving as defence counsel or legal representatives in cases concerning an offence endangering national

security. The question whether overseas lawyers not qualified to practise generally in the HKSAR may serve as defence counsel or legal representatives in cases concerning an offence endangering national security is a question that requires certification under Article 47 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region, and a certificate from the Chief Executive shall be obtained. If the courts of the HKSAR have not requested or obtained a certificate on such question from the Chief Executive, the Committee for Safeguarding National Security of the HKSAR shall perform its statutory duties and functions in accordance with the provisions of Article 14 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region to make relevant judgements and decisions on such situation and question.

This Interpretation is hereby announced.