

China Passes Controversial Hong Kong National Security Law

July 9, 2020 Liza Mark

PRACTICES Asia, International

On June 30, the National People's Congress of the People's Republic of China (the "NPC") unanimously passed the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the "Hong Kong National Security Law" or "Law"), which became effective at 23:00 Beijing time on the same day. The Law was first introduced on May 28, 2020 via a unanimous resolution of the NPC. It was then drafted behind closed doors by the NPC's standing committee, bypassing Hong Kong's legislature via a rarely-used constitutional backdoor under the Basic Law of the Hong Kong Special Administration Region (the "Basic Law"). Its full text was released by state media for the first time after its adoption on June 30.

The Law created the National Security Committee and such committee met on July 6, 2020 to adopt the Implementation Rules for Article 43 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administration Region (the "Implementation Rules") and the Operating Principles and Guidelines for Application for Authorization to Conduct Interception and Covert Surveillance (the "Operating Principles"). Both the Implementation Rules and the Operating Principles became effective on July 7, 2020.

The Law contains 6 chapters and 66 articles and dramatically broadens the Chinese central government's powers to investigate, prosecute and punish suspected crimes threatening "national security" in the Hong Kong Special Administrative Region ("HKSAR") and overseas. Key takeaways are discussed within this alert.

Read the full article [here](#).

For more information, please see the following resources:

[China's Relaxed Financial Sector May Aid Foreign Investors](#), June 18, 2020

[Is There a Law in China Similar to the US Defense Production Act?](#), May 8, 2020

[Coronavirus Brings Force Majeure Claims to LNG Contracts](#), March 4, 2020

[The Rise of China](#), March 4, 2020

[Coronavirus Fears Cast Cloud Over Dealmaking](#), February 27, 2020

[Is Your China Chemical Plant in Danger of Being Shut Down](#), December 2019

Stay up to date with us - we will soon be launching a special webpage with dedicated coverage of U.S.-China developments. Check our website for the latest details.