

# Activists to defy SAR and rally during 'legal vacuum'

By Staff Reporters

**D**EMOCRACY activists plan to stage public protests in the three-hour "legal vacuum" before new public order laws are endorsed by the Provisional Legislative Council in the early hours of 1 July.

This is despite repeated warnings from top Special Administrative Regions officials that the laws will take effect from midnight on 30 June and anybody violating them before their endorsement can be punished.

The so-called "legal vacuum" will run between midnight on 30 June, when Hong Kong passes from British to Chinese sovereignty, and 3am on 1 July, when the Reunification Bill is formally passed by the Provisional Legislative Council.

Chief Executive-designate Tung Chee-hwa yesterday backed Justice Secretary-designate Elsie Leung Oisie's view that anyone breaking the law before it is formally approved would be prosecuted.

The comment drew a swift reaction from the Democratic Party and the Frontier group, whose legal experts have warned that under common law it is illegal to make criminal laws covering acts committed before the law is passed.

The Frontier group said it would challenge the public order laws in court if its protesting members were arrested.

The grassroots organisation will stage a rally in Statue Square from 9pm until midnight on 30 June

and then march with the Hong Kong Alliance in Support of the Patriotic Democratic Movement after midnight.

Frontier legislator Emily Lau Wai-hing last night said the group did not recognise the new public order laws.

"We don't recognise the new laws. We will do what the present law requires us to do and that is to notify the police," she said.

Fellow legislator Lau Chin-shek said Frontier members would fight the new law in court.

But others in the pro-democracy camp pledged to keep their protest activities peaceful.

"We will not worry whatsoever because all our actions will be peaceful," a spokesman for the United Front against the Provisional Legislative Council said.

But Mr Cheng and Democratic Party leader Martin Lee Chu-ming challenged Ms Leung's legal knowledge.

"In all common law jurisdictions, there is no such retrospective effect of any criminal sanction," Mr Cheng said.

Mr Lee added Hong Kong should maintain the common law system and the destruction of its rules to suit particular cases would jeopardise the rule of law in Hong Kong.

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