

Hong Kong Basic Law and National Security (BLNST) Practice Exam (Sample)

Study Guide



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SAMPLE

Questions

- 1. Members of the Legislative Council are immune from which of the following?**
 - A. Legal action**
 - B. Taxation**
 - C. Arrest**
 - D. Investigation**

- 2. District organizations which are not organs of political power may be established in the Hong Kong Special Administrative Region, to be consulted by the government of the Region on district administration and other affairs, or to be responsible for providing services in such fields as _____.**
 - A. defense and security**
 - B. healthcare and education**
 - C. culture, recreation, and environmental sanitation**
 - D. foreign diplomacy**

- 3. Who temporarily assumes the duties of the Chief Executive if they are unable to discharge their duties for a short period?**
 - A. Administrative Secretary**
 - B. Financial Secretary**
 - C. Secretary of Justice**
 - D. All of the above**

- 4. Which type of ships requires special permission to access the ports of the Hong Kong Special Administrative Region?**
 - A. Foreign commercial ships**
 - B. Submarines**
 - C. Foreign warships**
 - D. Private vessels**

- 5. What can the Hong Kong Special Administrative Region maintain and develop with foreign states and regions?**
 - A. Trade agreements**
 - B. Diplomatic agreements**
 - C. Military treaties**
 - D. Agreements**

- 6. In terms of accountability, to whom does the Commission of Audit report?**
- A. Legislative Council**
 - B. Executive Council**
 - C. Chief Executive**
 - D. Public auditors**
- 7. The freedom of _____ of Hong Kong residents and their right to raise a family freely shall be protected by law.**
- A. education**
 - B. healthcare**
 - C. marriage**
 - D. employment**
- 8. What must happen if previously existing laws are found to contradict the Basic Law?**
- A. They should remain until further notice**
 - B. They should cease to exist**
 - C. They must be amended or cease to have force**
 - D. They become unenforceable**
- 9. Who presides over the Executive Council of the Hong Kong Special Administrative Region?**
- A. Legislative Council**
 - B. Chief Executive**
 - C. Secretary of Justice**
 - D. Executive Secretary**
- 10. What is the primary objective when the Special Administrative Region draws up its budget?**
- A. To promote international trade**
 - B. To achieve fiscal balance**
 - C. To enhance social services**
 - D. To increase governmental revenue**

Answers

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1. A
2. C
3. D
4. C
5. D
6. C
7. C
8. C
9. B
10. B

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Explanations

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1. Members of the Legislative Council are immune from which of the following?

A. Legal action

B. Taxation

C. Arrest

D. Investigation

Members of the Legislative Council (LegCo) in Hong Kong enjoy certain immunities in order to uphold the independence and integrity of the legislative process. They are specifically immune from legal action concerning actions taken in the course of their legislative duties. This immunity is vital as it ensures that legislators can perform their roles without the fear of legal repercussions that could potentially hinder their ability to debate and vote freely on matters of public concern. The rationale behind this immunity is to protect the process of law-making and the expression of opinions within the legislative chamber. It allows members to engage in discussions and present their views without the risk of being sued for defamation or facing other legal consequences related to their parliamentary actions. This is in line with similar legislative practices around the world, which grant legislators certain protections to promote legislative independence. On the other hand, immunity from taxation, arrest, and investigation does not typically apply to legislative members in the same absolute manner. While legislators may have certain protections related to their official duties, they are not completely exempt from legal processes in matters outside the scope of their legislative functions. Hence, the specific context of legal action clearly highlights the necessary protection afforded to members of LegCo in Hong Kong's legal framework.

2. District organizations which are not organs of political power may be established in the Hong Kong Special Administrative Region, to be consulted by the government of the Region on district administration and other affairs, or to be responsible for providing services in such fields as _____.

A. defense and security

B. healthcare and education

C. culture, recreation, and environmental sanitation

D. foreign diplomacy

The correct choice highlights the specific functions that district organizations in Hong Kong can undertake. These organizations, while not part of the political power structure, are designed to support local governance by addressing community needs and concerns. The options provided in the question represent various areas in which these organizations might be involved. In the context of the Hong Kong Special Administrative Region, the focus on culture, recreation, and environmental sanitation aligns closely with community services that contribute to the social and cultural fabric of the region. These areas are directly related to enhancing the quality of life for residents and are typically managed at the district level, where local input and context are vital. Healthcare and education are critical areas as well, but they tend to be managed more centrally or through specific government departments rather than by local district organizations exclusively. Defense and security are areas that fall under the responsibility of the broader government structure and the People's Liberation Army, making them inappropriate for district organizations. Foreign diplomacy is completely outside the purview of district organizations, as it is a function reserved for national authorities and not a matter of local administration. Focusing on culture, recreation, and environmental sanitation signifies the value placed on community engagement and the importance of local organizations in addressing the everyday needs and interests of Hong Kong's population.

3. Who temporarily assumes the duties of the Chief Executive if they are unable to discharge their duties for a short period?

A. Administrative Secretary

B. Financial Secretary

C. Secretary of Justice

D. All of the above

In the context of the Hong Kong Basic Law, if the Chief Executive is temporarily unable to perform their duties, the responsibility for assuming their role does not fall to just one individual but rather could be delegated to various members of the government. The Basic Law outlines mechanisms for the smooth functioning of government during such absences. When the Chief Executive is unable to carry out their responsibilities, it is typically the Administrative Secretary, Financial Secretary, or the Secretary of Justice who can temporarily assume the Chief Executive's duties. This ensures that the administration can continue to function effectively. Since all these officials are high-ranking members of the government, they all possess the necessary expertise and authority to fulfill these duties. Choosing "All of the above" reflects an accurate understanding of the distribution of power and responsibilities within the Hong Kong government. Each of these positions is significant, and their ability to step in emphasizes a system of checks and balances designed to maintain governance in the absence of the Chief Executive.

4. Which type of ships requires special permission to access the ports of the Hong Kong Special Administrative Region?

- A. Foreign commercial ships**
- B. Submarines**
- C. Foreign warships**
- D. Private vessels**

The accurate identification of ships that require special permission to access the ports of the Hong Kong Special Administrative Region is indeed foreign warships. Under the Basic Law and relevant local regulations, foreign warships must seek approval from the Chinese central authorities before entering Hong Kong waters. This requirement is grounded in the principle of sovereignty, as the presence of foreign military vessels is a matter of national security and international relations. The rationale for this permission requirement lies in the fact that foreign warships can be involved in activities that may affect the region's security and stability. Such regulations ensure that Hong Kong, while operating under the "one country, two systems" framework, aligns with the broader national defense and diplomatic policies of China. In contrast, other types of ships also have regulations, but they do not require the same level of scrutiny or permission as foreign warships. For example, foreign commercial ships and private vessels typically follow established maritime protocols and can enter Hong Kong ports under general provisions set by local maritime authorities without needing explicit authorization from the central government. Submarines, while they often have specific restrictions, are classified differently from foreign warships in terms of the entry requirements into Hong Kong's waters.

5. What can the Hong Kong Special Administrative Region maintain and develop with foreign states and regions?

- A. Trade agreements**
- B. Diplomatic agreements**
- C. Military treaties**
- D. Agreements**

The Hong Kong Special Administrative Region (HKSAR) has the authority to maintain and develop a variety of agreements with foreign states and regions, as outlined in the Basic Law. This encompasses a broad spectrum, including but not limited to trade agreements, which are specifically highlighted under the HKSAR's economic autonomy. The term "agreements" provides a comprehensive understanding that covers various types of arrangements that Hong Kong can enter into beyond just trade, such as cultural, educational, or technical agreements. The flexibility in the wording reflects the HKSAR's capacity to engage with the international community on multiple fronts, consistent with its status as a Special Administrative Region under the sovereignty of China while maintaining a certain degree of autonomy. In contrast, the options regarding diplomatic agreements and military treaties are more restricted. The HKSAR cannot enter into diplomatic relations or military agreements independently, as these areas are typically reserved for the central government. Thus, the correct choice emphasizes the broader scope of "agreements," which includes trade agreements while also allowing for other forms of international engagement that the HKSAR can pursue.

6. In terms of accountability, to whom does the Commission of Audit report?

- A. Legislative Council**
- B. Executive Council**
- C. Chief Executive**
- D. Public auditors**

The correct answer is that the Commission of Audit reports to the Legislative Council. This structure is essential for maintaining transparency and accountability within the government. The Legislative Council plays a critical role in overseeing government actions, including the financial management practices of the Commission of Audit. By reporting to the Legislative Council, the Commission provides an opportunity for legislative scrutiny of the government's financial statements and operations, which is vital for upholding public trust and ensuring that public funds are used effectively. The other options, such as the Executive Council, Chief Executive, and public auditors, do not serve as the appropriate accountability mechanism for the Commission of Audit. The Executive Council assists the Chief Executive in governance, but it is not the body that oversees audit findings. Reporting directly to the Chief Executive would create a conflict of interest, as those being audited would have control over the oversight process. Public auditors are part of the audit process but do not receive formal reports; their primary role is to conduct the audits rather than receive and analyze audit outcomes.

7. The freedom of _____ of Hong Kong residents and their right to raise a family freely shall be protected by law.

- A. education**
- B. healthcare**
- C. marriage**
- D. employment**

The correct choice emphasizes the fundamental right to marriage recognized in various legal frameworks that uphold individual freedoms, particularly within the context of Hong Kong. The Basic Law of Hong Kong articulates the protection of various rights and freedoms that residents enjoy, including the freedom to marry. This reflects the principles of personal autonomy and family life that are often enshrined in constitutional documents. The right to raise a family freely encompasses the ability to choose one's partner and to establish familial relations, which are crucial components of a stable and cohesive society. This protection allows individuals to make choices regarding their personal relationships and family structures without undue interference from the state, aligning with international human rights standards. Other options, while significant, do not align as specifically with this context of familial rights and personal relationships as the right to marry does.

8. What must happen if previously existing laws are found to contradict the Basic Law?

A. They should remain until further notice

B. They should cease to exist

C. They must be amended or cease to have force

D. They become unenforceable

When previously existing laws are found to contradict the Basic Law, they must be amended or cease to have force. This is rooted in the principle of the supremacy of the Basic Law as the constitutional document of the Hong Kong Special Administrative Region. The Basic Law provides the legal foundation for governance in Hong Kong and establishes that any existing laws that conflict with it do not hold validity in the context of the Basic Law's provisions. This means that any law that is inconsistent with the Basic Law cannot simply remain in effect or be deemed unenforceable without a clear process to amend it. Therefore, the proper course of action is to amend those laws to align with the Basic Law or to formally declare those laws as having no legal effect, thereby ceasing to be enforceable. This upholds the integrity and authority of the Basic Law as the central legal framework governing Hong Kong's legal and political landscape.

9. Who presides over the Executive Council of the Hong Kong Special Administrative Region?

A. Legislative Council

B. Chief Executive

C. Secretary of Justice

D. Executive Secretary

The presiding authority of the Executive Council of the Hong Kong Special Administrative Region is the Chief Executive. This role is pivotal in the governance structure of Hong Kong, as the Chief Executive acts as the head of the government and leads the Executive Council in advising on major policy decisions, legislative proposals, and other important government functions. The Chief Executive's position is established by the Basic Law, which outlines the governance framework of Hong Kong post-1997. In this capacity, the Chief Executive also represents the Hong Kong SAR in external and international relations, further underscoring the significance of their role within the governance structure. The Executive Council comprises official and non-official members who assist the Chief Executive in policymaking and administration. This collaborative body plays a crucial role in steering the direction of the Hong Kong government, highlighting the importance of strong leadership at its helm.

10. What is the primary objective when the Special Administrative Region draws up its budget?

- A. To promote international trade**
- B. To achieve fiscal balance**
- C. To enhance social services**
- D. To increase governmental revenue**

The primary objective when the Special Administrative Region (SAR) draws up its budget is to achieve fiscal balance. This is critical because a fiscally balanced budget ensures that the government maintains financial stability, preventing excessive deficits that could jeopardize economic health. By aiming for fiscal balance, the SAR can effectively manage public resources, maintain sustainable public spending, and ensure that its financial policies are sound in the long term. Achieving fiscal balance also reflects the broader economic policy framework of the SAR, which emphasizes responsible financial management. This affects how funding is allocated across various sectors, including social services and infrastructure, while also considering future economic conditions. While promoting international trade, enhancing social services, and increasing governmental revenue are important functions of government budgeting, the underlying goal remains the management of finances in a way that sustains overall economic stability and prevents fiscal irresponsibility.