

Registrar

HCA 2007/2019

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 2007 OF 2019

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF THE ACTS
PROHIBITED UNDER PARAGRAPH 1(a) AND (b) OF
THE INDORSEMENT OF CLAIM

Defendants

and

THE INTERNET SOCIETY OF HONG KONG LIMITED

Interested
Party

PENAL NOTICE

If you, the above-named Defendants, namely PERSONS UNLAWFULLY AND WILFULLY CONDUCTING THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER PARAGRAPH 1(a) AND (b) OF THE INDORSEMENT OF CLAIM, neglect to obey or comply with the Orders set out below, you may be held in contempt of Court and you may be sent to prison or fined or liable to process of execution to compel you to obey the Orders. Any person who assists any of the above-named Defendants in breaching the Orders set out below may also be held in contempt of Court and may be sent to prison or fined.

IMPORTANT NOTICE TO THE DEFENDANTS

- (1) This is a legal document. The consequences of ignoring are serious.
- (2) If in doubt, you should enquire as soon as possible at the Registry of the Court issuing the document, namely LG1, High Court Building, 38 Queensway, Hong Kong.
- (3) You should also consider taking the advice of a solicitor or applying for legal aid.

BEFORE THE HONOURABLE MR JUSTICE COLEMAN IN CHAMBERS

AMENDED ORDER

UPON the application of the Plaintiff by way of summons filed herein on 4 November 2019 (the "**Plaintiff's Summons**")

AND UPON the application of the Internet Society Hong Kong Limited ("**ISOC**") by way of summons filed herein on 11 November 2019 (the "**ISOC's Summons**")

AND UPON reading the 2nd Supporting Affirmation filed herein on 14 November 2019 for the Plaintiff, together with the exhibits referred to therein

AND UPON reading the Affirmations of Cheng Pan Pan, Lo Chi Kong, Yeung Ching Yin and Yip Yuk Fai all filed herein on 11 November 2019, the Affirmation of Cheng Ka Yue filed herein on 12 November 2019, the Affidavit of Lau Kin Ling filed herein on 12 November 2019, the 2nd Affirmation of Cheng Pan Pan filed herein on 14 November 2019, for the ISOC, together with the exhibits referred to therein

AND UPON hearing senior counsel for the Plaintiff, senior counsel for the ISOC and the Defendants being absent

IT IS ORDERED that until trial or further order of the Court :-

1. The Defendants and each of them, whether acting by themselves, their servants or agents, or otherwise howsoever, be restrained from doing any of the following acts :-
 - (a) Wilfully disseminating, circulating, publishing or re-publishing on any internet-based platform or medium (including but not limited to LIHKG and Telegram) any material or information for the purpose of promoting,

encouraging or inciting the use or threat of violence, intended or likely to cause :-

- (i) bodily injury to any person unlawfully within Hong Kong; or
 - (ii) damage to any property unlawfully within Hong Kong.
- (b) Wilfully assisting, causing, counselling, procuring, instigating, inciting, aiding or abetting others to commit any of the aforesaid acts or participate in any of the aforesaid acts.

IT IS FURTHER ORDERED that :-

2. Leave to the Plaintiff to serve this Order on the Defendants by way of substituted service, by publishing a copy of this Order on the websites of the Hong Kong Police Force as well as that of the Government of the Hong Kong Special Administrative Region;
3. The Plaintiff be given leave to redact any part of the materials filed in the Registry which reveals the personal particulars of any Police Officer and/or their family member(s);
4. No person may, without leave of the Court, search for, inspect or copy the documents filed in the Registry in this action;
5. Costs of the Plaintiff's Summons be reserved; and
6. There be no order as to costs in respect of the ISOC's Summons.

Dated this 15th day of November 2019.

Registrar

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 2007 OF 2019

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF THE ACTS
PROHIBITED UNDER PARAGRAPH 1(a) AND (b) OF
THE INDORSEMENT OF CLAIM

Defendants

and

THE INTERNET SOCIETY OF HONG KONG LIMITED

Interested Party

AMENDED ORDER

Dated this 15th day of November 2019

Re-Filed this 15th 20th day of November 2019

DEPARTMENT OF JUSTICE
6th Floor, East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
Tel No.: 3918 4455
Fax No.: 3918 4525
Ref: MIS 912/19