



HCA 1471 / 2019

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO 1471 OF 2019

Hon Wilson Chan J
10:30 am (15 mins)
15/03/21(Mon)
HCA 1471 /2019

BETWEEN

26 JAN 2021

AIRPORT AUTHORITY

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OR INTERFERING WITH
THE PROPER USE OF THE HONG KONG
INTERNATIONAL AIRPORT

Defendants

SUMMONS

O.19, r.7) LET all parties concerned attend before the Honourable *Mr Justice Wilson Chan*
RHC) in Chambers (open to public) at High Court, 38 Queensway, Hong Kong
on *Mon* -day, the *15th* day of *March* 2021 at *10³⁰* o'clock
in the *fore* -noon, on the hearing of an application on the part of the Plaintiff
for an order that no Defence having been served by the Defendants herein, final
judgment be entered for the Plaintiff against the Defendants in the terms of the
draft attached hereto.

Dated this 26th day of January 2021.

Registrar

This Summons was taken out by Messrs Hogan Lovells of 11/F, One Pacific Place, 88 Queensway, Hong Kong, Solicitors for the Plaintiff (MXL/ST/1D1094.000831).

Hogan Lovells
Hogan Lovells
Solicitors for the Plaintiff

To: The Registrar
High Court
38 Queensway
Hong Kong

And to: Persons unlawfully and wilfully
obstructing or interfering with
the proper use of the Hong Kong
International Airport, the Defendants

Estimated time: 15 minutes

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BEFORE THE HONOURABLE [] IN CHAMBERS

JUDGMENT

PENAL NOTICE

If you, the above-named Defendants, PERSONS UNLAWFULLY AND WILFULLY OBSTRUCTING OR INTERFERING WITH THE PROPER USE OF THE HONG KONG INTERNATIONAL AIRPORT, neglect to obey or comply with this Judgment, 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 this Judgment. Any person who assists any of the above-named Defendants in breaching this Judgment may also be held in contempt of Court and may be sent to prison or fined.

UPON the application of the Plaintiff by way of Summons for judgment upon the default of the Defendants in serving a Defence filed on the 26th day of January 2021

AND UPON reading the Affirmation of [Service] filed herein on the day of 2021 together with the exhibits referred to therein and the Statement of Claim served upon the Defendants dated the 11th day of December 2020

AND UPON hearing the Solicitors for the Plaintiff and the Defendants being absent

IT IS THIS DAY ADJUDGED THAT:-

1. The Defendants and each of them whether acting on his/her own or together with other person(s) be restrained from doing any of the following acts:-
 - (a) unlawfully and wilfully obstructing or interfering with the proper use of the Hong Kong International Airport (“**the Airport**”);

- (b) attending or participating in any demonstration or protest or public order event in the Airport (the boundary of which is delineated in green on Plan (I) annexed hereto) ("**Airport Area**") other than strictly within the area designated by the Plaintiff for the carrying out of such events which area is marked "A" and shaded in yellow on Plan (II) annexed hereto (the "**Protest Area**") and only where the conduct of such demonstration or protest or public order event is lawful and peaceful provided that nothing in this Judgment shall be construed as authorising any demonstration, protest or public order event in contravention to the Public Order Ordinance (Cap. 245);
- (c) entering the area shaded in red on Plan (III) annexed hereto ("**Access Control Area**") unless he/she is a bona fide traveller or is granted permission by the staff of the Plaintiff or of the Aviation Security Company Limited ("**AVSECO**") so to enter, for so long as the Plaintiff maintains and implements such Access Control Area;
- (d) loitering in any part of the Airport without reasonable cause in breach of section 20(1) of the Airport Authority Bylaw (Cap. 483A);
- (e) wilfully obstructing any road, passageway, entry or exit point or access control point, whether vehicular or pedestrian, and whether within or near the Airport Area;
- (f) obstructing or interfering with any staff of the Plaintiff and/or AVSECO in enforcing or attempting to enforce (a), (b), (c), (d) and/or (e) above; and
- (g) inciting and/or aiding and/or abetting any person to do any of the acts identified in (a), (b), (c), (d), (e) and/or (f) above.
- (h) Notwithstanding paragraph 1(b) and (c) above, in the event that the Plaintiff shall consider it necessary for the management or operation of the Airport, the Plaintiff shall be at liberty to cancel or reduce the size of the Protest Area or to relocate it and/or to extend or reduce the Access Control Area within any other part(s) of the Airport Area including but not limited to the Protest Area.

2. The Defendants do pay the Plaintiff damages to be assessed.

3. Costs of this action, including the costs of this application and all reserved costs, be to the Plaintiff to be taxed if not agreed.

IT IS DIRECTED THAT:

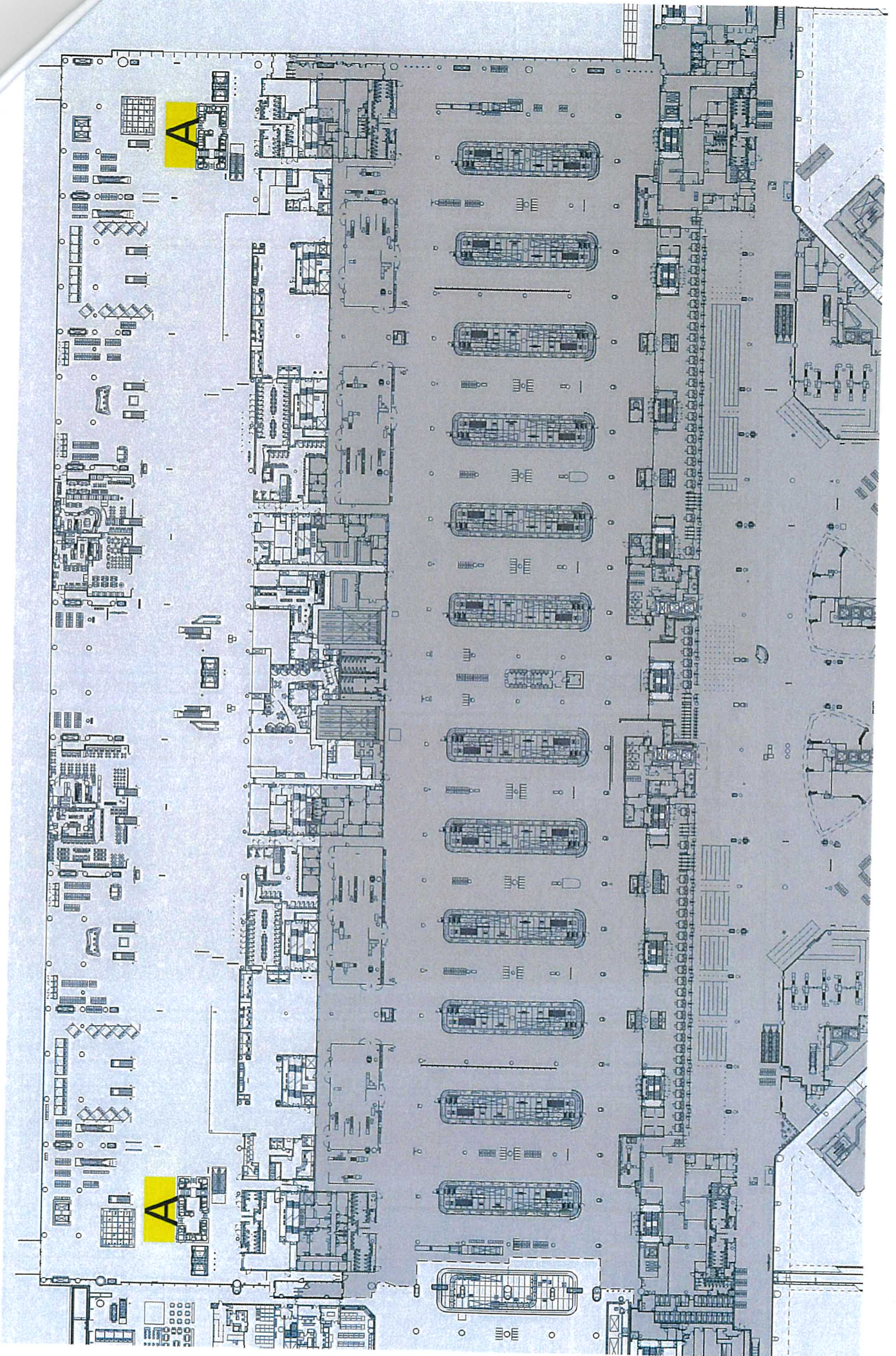
4. Leave to the Plaintiff to execute the Judgment within Hong Kong on a Sunday.
5. The bailiff do take all reasonable and necessary steps to assist the Plaintiff and its agents to effect the clearance and removal of any obstructions or interference provided for in paragraph 1 of this Judgment.
6. The bailiff be authorized and directed to request the assistance of the Police where necessary.
7. Any police officer be authorized to arrest and remove any person who the police officer reasonably believes or suspects to be obstructing or interfering any bailiff carrying out his or her duties in enforcing the terms of this Judgment, provided that the person to be arrested has been informed of the gist of the terms of this Judgment and that his action is likely to constitute a breach of the Judgment and obstruction of the administration of justice, and that he may be arrested if he does not desist.
8. Without prejudice to the provisions of the Police Force Ordinance (Cap. 232) (including s 51 and s 52 thereof), any person so arrested by the Police shall be brought before the Court, under lawful arrest or legal processes, as soon as practicable for further directions.
9. For the avoidance of doubt, nothing in this Judgment is intended to, and nothing in this Judgment shall be taken as intending to, affect or prejudice in any way the powers and functions of the Plaintiff in the management and operation of the Airport conferred on it by law.
10. The Plaintiff do have liberty to apply.

Registrar

Plan (I)



PLAN II

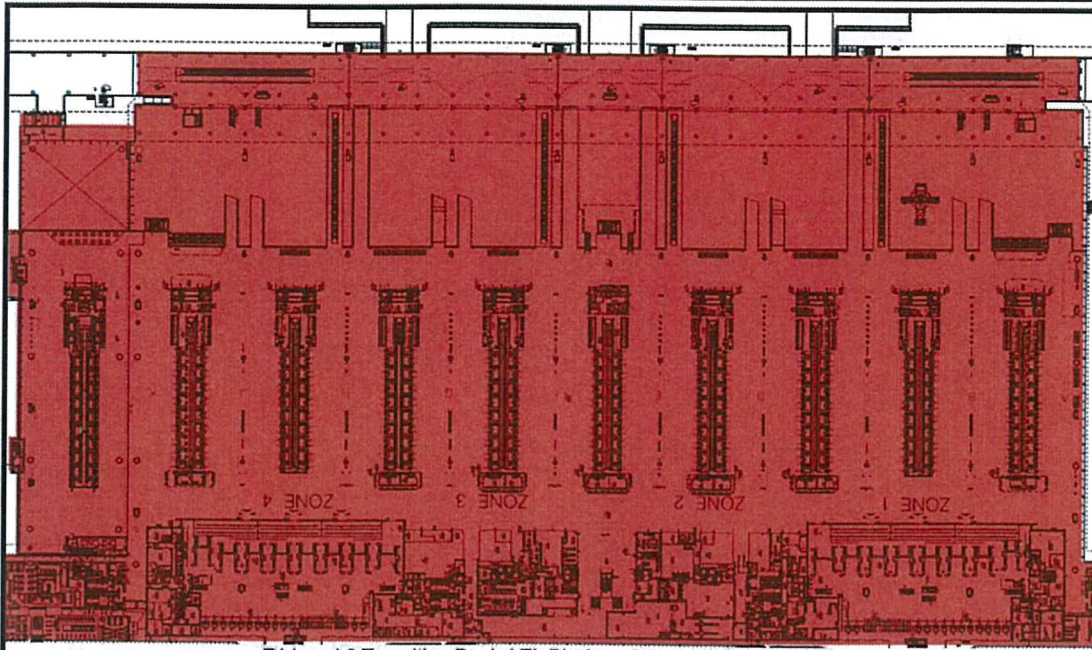
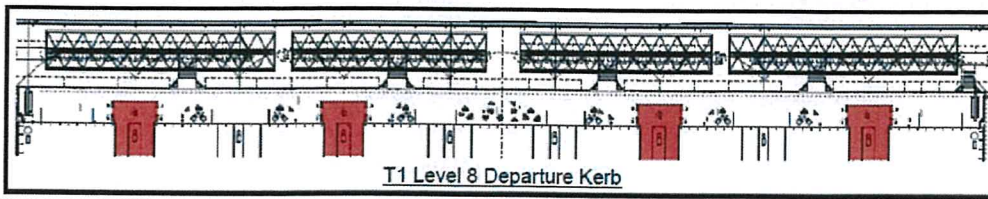


HKIA T1 Level 8 Departure Kerb & L7 Check-in Hall & L6 Transition Deck (Effective from 29Nov2019)

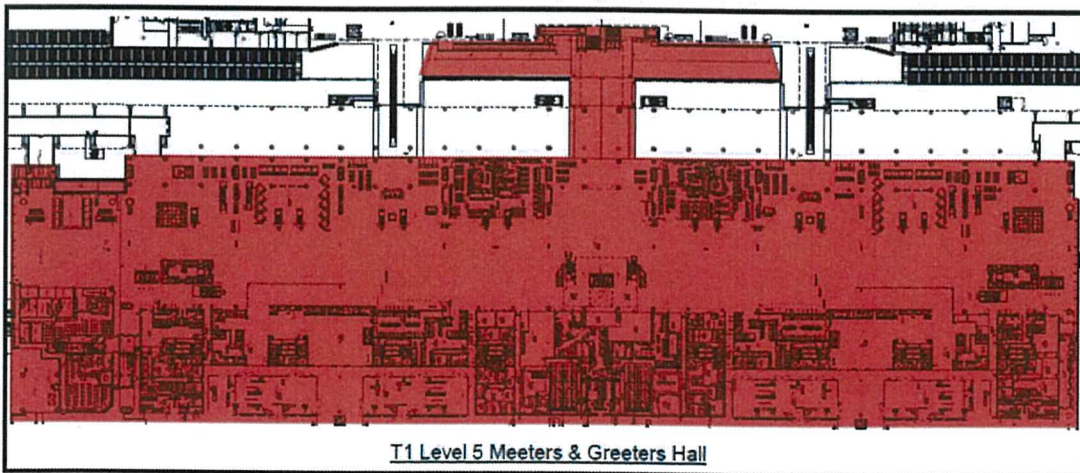
Plan (III)

Legend

■ Access Control Area



HKIA T1 Level 5 Meeters & Greeters Hall, and GTC & Level 3 Cheong Tat Road (Effective from 29Nov2019)



Legend

■ Access Control Area

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JUDGMENT

Dated this day of 2021.
Filed this day of 2021.

HOGAN LOVELLS
Solicitors for the Plaintiff
11th Floor, One Pacific Place
88 Queensway
Hong Kong

Tel: 2219 0888
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Ref: MXL/ST/1D1094.000831

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Filed the 26th day of January 2021.

HOGAN LOVELLS
Solicitors for the Plaintiff
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88 Queensway
Hong Kong

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Solicitors for the Plaintiff