



Interpretation of the Basic Law

LAW SOCIETY'S COMMENT ON THE NPCSC INTERPRETATION AND CONFIRMATION OF THE LAW SOCIETY POSITION IN LIGHT OF MEDIA REPORTS THAT LAW SOCIETY HAS CHANGED ITS POSITION.

It is unfortunate that media reports on Tuesday 26th and Wednesday 27th April 2005 stated that the Law Society had changed its position and now backed the interpretation by the NPCSC. We now take the opportunity to confirm the Law Society's position and comment on the interpretation.

The Law Society view remains that the Basic Law is clear and an interpretation was not necessary and in case of doubt it would have been preferable for the matter to be resolved through the Hong Kong courts. We also remain unchanged in our view that interpretation, if used at all, must be used with caution and restraint, since fundamental principles of the rule of law such as due process, transparency, and reasoned judgments from an independent judiciary are essential elements in maintaining the rule of law.

The Law Society looks forward to further dialogue and exchanges with the Mainland to safeguard the rule of law in Hong Kong.

The Law Society of Hong Kong

28 April 2005