



This year, we celebrate the 10th anniversary of the coming into effect of the Basic Law. This is also the 10th issue of the Basic Law Bulletin. To commemorate this special event, we are honoured to have the Chief Secretary for the Administration (and the Chairman, Basic Law Promotion Steering Committee), Secretary for Justice, Secretary for Constitutional and Mainland Affairs, Secretary for the Civil Service, and the Convenor of the Working Group on Civil Servants of the Basic Law Promotion Steering Committee address our readers.

As this is a special commemorative issue, we have taken this opportunity to review in the "Focus" the challenges that the HKSAR has encountered in the interpretation and implementation of the Basic Law in the past

decade and to consider the future outlook. We also have our usual columns on "LegCo President's Decision on Member's Bill" and "Judgment Update". In this issue, we shall discuss the constitutionality of criminalizing homosexual buggery in the light of the right to privacy and equality before the law, the guarantee of prosecutorial independence and the power to tax in the light of the property right guarantee under the Basic Law.

It is undeniable that after Reunification, Hong Kong faced many challenges. However, the implementation of the "One Country, Two Systems" principle has been a great success. There may be formidable challenges ahead. With the concerted efforts of the Mainland and the HKSAR, the "One Country, Two Systems" principle will prove to be not merely an unprecedented experiment, but also an innovative mechanism which can facilitate continuous development of the economy and rule of law in both the Mainland and the HKSAR. We would like to take this opportunity to thank you for your support to the Basic Law Bulletin. We shall strive to improve our work with a view to enhancing our readers' understanding of the Basic Law and the principle of "One Country, Two Systems" that it enshrines.

## **Contents**





**P2** 







**P39** 

This publication is edited by the Legal Policy Division of the Department of Justice. It is published jointly by the Department of Justice, the Civil Service Bureau and the Constitutional and Mainland Affairs Bureau for the general reference of primarily the Civil Service and is not intended to provide professional advice on any particular matter or to form the basis of any decision as to a particular course of action. While every effort has been made to ensure accuracy, no responsibility can be accepted by the Department of Justice, the Civil Service Bureau or the Constitutional and Mainland Affairs Bureau for errors and omissions however caused.







