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<p>Whether the limitation on, as opposed to the denial of, the applicant's legal representation: (i) breaches the right to legal representation under BL 35; (ii) offends the applicant's right to a fair trial under Art 10 of the BoR; and (iii) offends any common law rule of procedural fairness</p> <p><i>New World Development Company Limited &amp; Others v Stock Exchange of Hong Kong Ltd</i> (CFI, May 2004)</p>	BL 35	7 / 21-23
<p>Whether BL 35 confers an entitlement to full legal representation by lawyers at the hearing for the purposes of examining and cross-examining witnesses and making oral submission; the meaning of "court" under BL 35 and whether the Disciplinary Committee of the Stock Exchange is a "court"</p> <p><i>New World Development Company Limited &amp; Others v The Stock Exchange of Hong Kong Limited</i> (CA, May 2005)</p>	BL 35	8 / 9
<p>Whether BL 35 confers an entitlement to full legal representation by lawyers at the hearing for the purposes of examining and cross-examining witnesses and making oral submission; the meaning of "court" under BL 35 and whether the Disciplinary Committee of the Stock Exchange is a "court"</p> <p><i>The Stock Exchange of Hong Kong Limited v New World Development Company Limited &amp; Others</i> (CFA, April 2006)</p>	BL 2 、 BL 8 、 BL 18 、 BL 19 、 BL 35 、 BL 39 、 BL 80 、 BL 81 、 BL 84 、 BL 85 、 BL 87 、 BL 88 、 BL 89 、 BL 92 、 BL 93	9 / 23-25
<b>Right to participate in public life</b>		
<p>Whether the BORO is engaged and if so whether the electoral arrangements in question are inconsistent with Art 21(a) of the BORO which guarantees the right and opportunity of every permanent resident to take part in the conduct of public affairs directly or through freely chosen representatives without discrimination and unreasonable restrictions</p> <p><i>Secretary for Justice &amp; Others v Chan Wah, Tse Kwan Sang &amp; Others</i> (CFA, December 2000)</p>	BL 39 、 BL 40	1 / 6-7
<b>Right to privacy</b>		
<p>Whether s 118C of the Crimes Ordinance (Cap 200) which makes homosexual buggery with or by man under 21 an offence is contrary to the right to privacy and equality before the law, contained in BL 25 &amp; BL 39 and Arts 1, 14 and 22 of the BoR</p> <p><i>Leung v Secretary for Justice</i> (CA, September 2006)</p>	BL 25 、 BL 39	10 / 27-31
<b>Lawful Traditional Rights and Interests of Indigenous Inhabitants of the New Territories</b>		
<p>Whether BL 40 protects any rights of indigenous villagers to vote and to stand as a candidate in elections for village representative to the exclusion of others</p> <p><i>Secretary for Justice &amp; Others v Chan Wah, Tse Kwan Sang &amp; Others</i> (CFA, December 2000)</p>	BL 39 、 BL 40	1 / 6-7

Cases	BL Articles	Issue No/ Page No
<b>Official Languages</b>		
<p>Whether the applicant has a constitutional right under BL 9 to be understood by the courts in Cantonese without the intervention of an interpreter; whether s 5 of the Official Languages Ordinance (Cap 5) is inconsistent with the BL</p> <p><i>Re Cheng Kai Nam Gary</i> (CFI, December 2001)</p>	BL 9 · BL 67 · BL 81 · BL 92	3 / 18-23
<b>Power of Final Adjudication</b>		
<p>Whether the finality provision in s 13(1) of the Legal Practitioners Ordinance (Cap 159) is inconsistent with BL 82</p> <p><i>A Solicitor v The Law Society of Hong Kong &amp; Secretary for Justice (Intervener)</i> (CFA, December 2003)</p>	BL 8 · BL 18 · BL 82	6 / 12-13
<b>Powers and Functions of the CE</b>		
<p>Whether and how far the CE's decision made under BL 48(12) to pardon person convicted of criminal offence is subject to judicial review</p> <p><i>Ch'ng Poh v The Chief Executive of the Hong Kong Special Administrative Region</i> (CFI, December 2003)</p>	BL 4 · BL 11 · BL 48	6 / 9-10
<p>Whether s 67C of the Criminal Procedure Ordinance (Cap 221) is inconsistent with BL 8, BL 80 and Art 14(1) of the ICCPR; whether s 12(2) of the Long-term Prison Sentences Review Ordinance (Cap 524) is inconsistent with BL 8 and Art 9(4) of the ICCPR</p> <p><i>Yau Kwong Man &amp; Anor v Secretary for Security</i> (CFI, September 2002)</p>	BL 8 · BL 48 · BL 80	7 / 16-18
<b>Property Right</b>		
<p>Whether the defendant has the statutory duty under the Land Development Corporation Ordinance (Cap 15) to take all reasonable steps to acquire the property otherwise than by seeking resumption and to negotiate the purchase on fair and reasonable terms and whether an implied duty arose due to BL 6, 8 &amp; 105 on compensation for deprivation of property</p> <p><i>Kaisilk Development Limited v Urban Renewal Authority</i> (CA, April 2003)</p>	BL 6 · BL 8 · BL 105	5 / 8-10
<p>Whether the Commissioner for Transport's decision under reg 14(1)(a) of the Road Traffic (Traffic Control) Regulations (Cap 374G) interferes with the applicant's right to use its property; if so, whether it amounts to deprivation of the applicant's business, entitling it to compensation</p> <p><i>Yook Tong Electric Company Limited v Commissioner for Transport</i> (CFI, February 2003)</p>	BL 6 · BL 105	5 / 12-13
<p>Whether s 12(c) of the Lands Resumption Ordinance (Cap 124) which excludes "hope value" of the land from compensation is inconsistent with BL 105</p> <p><i>Director of Lands v Yin Shuen Enterprises Limited &amp; Nam Chun Investment Company Limited</i> (CFA, January 2003)</p>	BL 105	5 / 14-15



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Whether the plaintiff has been deprived of the capital used to pay the tax under the Inland Revenue Ordinance (Cap 112) without compensation for loss of use <i>Weson Investment Limited v The Commissioner of Inland Revenue</i> (CA, January 2007)	BL 6、BL 105、 BL 108	10 / 35-38
<b>Prosecutorial Independence</b>		
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<b>Prospective Overruling</b>		
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<b>Right of Abode</b>		
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Cases	BL Articles	Issue No/ Page No
<p>Whether the applicant is a permanent resident of the HKSAR, and has the right of abode by virtue of BL 24(2)(1) which provides that the permanent residents of the HKSAR shall be "Chinese citizens born in Hong Kong before or after the establishment of the HKSAR"</p> <p><i>Chong Fung Yuen an infant, by his next friend Chong Yiu Shing v The Director of Immigration</i> (CA, July 2000)</p>	BL 24(2)(1)	1 / 13
<p>Whether the applicants, who were adopted in accordance with the law prevailing on the Mainland prior to the coming into effect of the BL on 1 July 1997 by Hong Kong permanent residents, are permanent residents of the HKSAR</p> <p><i>Xie Xiaoyi v The Director of Immigration</i> (CA, March 2000)</p>	BL 24(2)(3)	1 / 13
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<p>Whether BL 24(2)(1) is an excluded provision within BL 158(3); whether the requirement relating to the parent in para 2(a) of Schedule 1 to the Immigration Ordinance (Cap 115) is inconsistent with BL 24(2)(1)</p> <p><i>The Director of Immigration v Master Chong Fung Yuen</i> (CFA, July 2001)</p>	BL 22(4) ∙ BL 24(2) ∙ BL 24(2)(1) ∙ BL 24(2)(3) ∙ BL 24(2)(5) ∙ BL 24(3) ∙ BL 158	2 / 5-13
<p>Whether the NPCSC's interpretation of BL 22(4) and BL 24(2)(3) contains a binding interpretation of BL 24(2)(3) with regards to adopted children; whether BL 24(2)(3) is an "excluded provision" within BL 158(3); whether BL 24(2)(3) includes adopted children</p> <p><i>Tam Nga Yin, Chan Wai Wah, Xie Xiaoyi v The Director of Immigration</i> (CFA, July 2001)</p>	BL 24(2) ∙ BL 24(2)(1) ∙ BL 24(2)(2) ∙ BL 24(2)(3) ∙ BL 24(3) ∙ BL 39	2 / 15-19
<p>Whether being in prison or a training or detention centre pursuant to a criminal conviction constitutes "ordinary residence" within BL 24; whether the period of ordinary residence must be "immediately before" permanent residence application under BL 24(2)(4)</p> <p><i>Fateh Muhammad v Commissioner of Registration &amp; Registration of Persons Tribunal</i> (CFA, July 2001)</p>	BL 24 BL 24(2)(4)	2 / 21-23
<p>Whether the applicants are entitled to the benefit of the judgments of <i>Ng Ka Ling</i> and <i>Chan Kam Nga</i> and therefore not affected by the NPCSC's Interpretation; whether there is legitimate expectation to receive the same treatment as the parties in those two cases</p> <p><i>Ng Siu Tung &amp; Others v The Director of Immigration, Li Shuk Fan v The Director of Immigration, Sin Hoi Chu &amp; Others v The Director of Immigration</i> (CFA, January 2002)</p>	BL 22(4) ∙ BL 24(2)(3) ∙ BL 158	3 / 3-17
<p>Whether the permanence and unconditional stay requirements under Sch 1 para 3(1)(c) and para 1(5)(b) of the Immigration Ordinance (Cap 115) are inconsistent with BL 24(2)(4)</p> <p><i>Prem Singh v Director of Immigration</i> (CFA, February 2003)</p>	BL 24(2)(4)	5 / 18-21



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## ABBREVIATIONS

<b>BL</b>	Basic Law / Basic Law Article
<b>BoR</b>	Hong Kong Bill of Rights
<b>CA</b>	Court of Appeal
<b>CE</b>	Chief Executive
<b>CE in C</b>	Chief Executive in Council
<b>CFA</b>	Court of Final Appeal
<b>CFI</b>	Court of First Instance
<b>CPG</b>	Central People's Government
<b>ExCo</b>	Executive Council
<b>HKSAR</b>	Hong Kong Special Administrative Region
<b>HKSARG</b>	Government of the HKSAR
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>LegCo</b>	Legislative Council
<b>NPC</b>	National People's Congress
<b>NPCSC</b>	Standing Committee of the NPC
<b>PRC</b>	People's Republic of China

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