

BASIC LAW

B U L L E T I N



EDITOR'S NOTE

As mentioned in the fifth issue, we continue the discussion of the judicial system of the HKSAR this time. An article in *The Focus* introduces the concept of constitutional review of legislation by the judiciary. In view of the recent debates on the constitutional development of the HKSAR, there is in *The Focus* an extract of the speech of the Secretary for Justice on 'Understanding "One Country, Two Systems" through Hong Kong's Constitutional Development'¹ delivered on 29 May 2004 at a Basic Law Seminar organized by the CSTDI, CSB for civil servants. The extract discusses the legal status of the NPCSC's Interpretation of Annexes I and II of the Basic Law issued on 6 April 2004 and the NPCSC Decision of 26 April 2004.

The *Judgment Update* covers summaries of three recent court cases. They arose respectively in the context of (a) the power of the Chief Executive to pardon persons convicted of criminal offences, (b) a provision in the Legal Practitioners Ordinance (Cap 159) stipulating that certain decisions of the Court of Appeal on an appeal from the Solicitors Disciplinary Tribunal shall be final, and (c) the constitutional freedom to travel in circumstances where the status as a non-permanent resident was alleged to have been obtained by fraud or deception.

From the angle of comparative constitutional law and practices, we include in the *Sidelights* information on constitutional review in other common law jurisdictions and the Mainland.

¹ Please visit the website of the Department of Justice at www.doj.gov.hk for the full text of the speech.

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