

**Statement of the Hong Kong Bar Association (“HKBA”) in Response
to News Reports Regarding HKBA’s Stance on
the Co-location Arrangement**

1. The HKBA is deeply concerned about certain news reports on the alleged disclosure of the discussion within the Bar Council concerning the Co-location Arrangement (“**News Reports**”). These news reports, which appeared in the past 2 days, include references to an internal paper prepared for the Bar Council’s consideration by the Bar Council’s sub-committee on Constitutional Affairs & Human Rights (“**Paper**”).

2. The HKBA is aware that a Court hearing has been fixed towards the end of this month for argument to be heard on legal issues arising from the Co-location Arrangement. In these circumstances, the Bar Council has resolved that it is inappropriate to comment on the relevant legal matters at this stage. Further, in light of the fact that discussions of the Bar Council are confidential, the HKBA will not be making any substantive response to the News Reports. HKBA wishes to emphasise that all decisions of the Bar Council (including the decision to issue this Statement) are the result of the collective deliberations of the Bar Council with the benefit of full and candid discussions.

3. However, in order to dispel any misunderstanding in relation to the HKBA’s position on the Co-location Arrangement and for the avoidance of doubt, we must emphasize that the Bar Council is still considering and discussing the various complicated and multi-

faceted legal issues arising from the Co-location Arrangement, and the Paper forms part of this continuing process. The HKBA emphasizes that it has **not yet** made a decision or adopted a position on whether the Co-location Arrangement is or is not permissible under the Basic Law.

4. News Reports of what transpired in the Bar Council's discussion are incorrect and misleading. The HKBA strongly denounces the misrepresentations made to the media and the disclosure of HKBA's internal material in breach of confidentiality. It is deeply regrettable that this may have caused the public to misunderstand the HKBA's position on the Co-location Arrangement.

Dated 16 September 2017

Hong Kong Bar Association