

## **STATEMENT OF THE HONG KONG BAR ASSOCIATION**

### **on comments of the Hong Kong and Macau Affairs Office and the China Liaison Office on affairs of Legislative Council and the mask ban judgment**

Article 22(1) of the Basic Law provides:

“No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.”

The HKBA notes the recent public comments made by the Hong Kong and Macau Affairs Office and the China Liaison Office where both institutions expressed approval of the recent Court of Appeal judgment upholding the constitutionality of the Emergency Regulations Ordinance and disapproval with regard to certain current affairs in Legislative Council.

Any public comment made or statement issued by the HKMAO, China Liaison Office and any other state authorities in Hong Kong constitutes an exercise of public authority.

Where such comment or statement touches upon the affairs which the HKSAR administers on its own in accordance with the Basic Law (such as the above two matters) they could easily be perceived as interference in contravention of the principle of one-country, two-system enshrined in the Basic Law including Article 22(1).

The HKBA calls on the relevant authorities to exercise restraint in these matters.

**HONG KONG BAR ASSOCIATION**

**Dated: 14 April 2020**