

PROPORTIONALITY IN ASIA

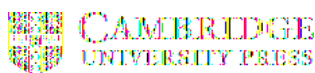
This is the first book that focusses on how Proportionality Analysis – a legal transplant from the West – is applied by courts around Asia, and it explores how a country's commitment to democracy and the rule of law is fundamental to the success of the doctrine's judicial enforcement. This book will appeal to lawyers, political scientists, and students of law and political science who seek to understand how Proportionality Analysis is blossoming and, in some cases, flourishing in Asia.

PO JEN YAP is a Professor of Law at the University of Hong Kong (HKU), Faculty of Law, where he specialises in comparative constitutional law. He graduated from the National University of Singapore with an LLB degree and he obtained LLM qualifications from both Harvard Law School and University College London. He also has a PhD degree from the University of Cambridge. He is an Advocate and Solicitor of the Supreme Court of Singapore and an Attorney at Law in the State of New York, USA. His sole-authored publications include *Constitutional Dialogue in Common Law Asia* (2015) and *Courts and Democracies in Asia* (2017). He was the editor of *Judicial Review of Elections in Asia* (2016) and *Constitutional Remedies in Asia* (2019).

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Edited by
PO JEN YAP
The University of Hong Kong



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ABBREVIATIONS

AD	Appellate Division of Bangladesh Supreme Court
BN	Barisan Nasional
BORO	Bill of Rights Ordinance
BSC	Supreme Court of Bangladesh
CFA	Court of Final Appeal (Hong Kong)
CrPC	Code of Criminal Procedure 1898
CSSA	Comprehensive Social Security Assistance Scheme
DPA	Philippine Data Privacy Act of 2012
DPR	Dewan Perwakilan Rakyat Republik Indonesia (House of Representatives)
EC	European Community
ECJ	European Court of Justice
ECtHR	European Court of Human Rights
HCD	High Court Division of Bangladesh Supreme Court
HCEP	High Court of East Pakistan
HKCFA	Hong Kong Court of Final Appeal
HKSAR	Hong Kong Special Administrative Region
ICC	Constitutional Court of Indonesia
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
ITE	2008 Electronic Information and Transaction Law
JSC	Supreme Court of Japan
KCC	Constitutional Court of Korea
LCO	Legislative Council Ordinance
LDP	Liberal Democratic Party
LGBT	Lesbian, Gay, Bisexual, and Transgender
LSD	League of Social Democrats
MFC	Federal Court of Malaysia
MPR	Majelis Permusyawaratan Rakyat (People's Consultative Assembly)
NCPO	National Council for Peace and Order
NGO	non-governmental organization
NPCSC	Standing Committee of the National People's Congress

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NTD	New Taiwan Dollar
OWP	One-Way Permit
PA	proportionality analysis
PRC	People’s Republic of China
PSC	Philippines Supreme Court
ROS	Registrar of Societies
SDO	Sex Discrimination Ordinance (Cap. 480)
SP	structured proportionality
TCC	Constitutional Court of Taiwan
ThCC	Constitutional Court of Thailand
TOR	tier-of-rights
TPB	Town Planning Board
UPP	Unified Progressive Party
USD	US dollar
UUCA	Universities and University Colleges Act 1971