

立法會
Legislative Council

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Tel : 2869 9270
Date : 13 April 2006
From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 3 May 2006

**Proposed resolution under
the Legal Aid Ordinance**

I forward for Members' consideration a proposed resolution which the Chief Secretary for Administration will move at the Council meeting of 3 May 2006 under the Legal Aid Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Chief Secretary for Administration will deliver when moving the proposed resolution, is also attached.

(Mrs Betty LEUNG)
for Clerk to the Legislative Council

Encl.

LEGAL AID ORDINANCE

RESOLUTION

(Under section 7(a) of the Legal Aid Ordinance (Cap. 91))

RESOLVED –

- (a) that the Legal Aid Ordinance (Cap. 91) be amended –
 - (i) in section 5(1), by repealing “\$155,800” and substituting “\$158,300”;
 - (ii) in section 5A(b) –
 - (A) by repealing “\$155,800” and substituting “\$158,300”;
 - (B) by repealing “\$432,900” and substituting “\$439,800”; and
- (b) that this Resolution shall come into operation on a day to be appointed by the Director of Administration by notice published in the Gazette.

**Speech by the Chief Secretary for Administration
at the Legislative Council sitting on 3 May 2006**

**Resolution under section 7(a)
of the Legal Aid Ordinance (Cap. 91)
Financial Eligibility Limits of the Legal Aid Applicants**

Madam President,

I move the Resolution standing in my name on the agenda.

2. At present, a person whose financial resources do not exceed \$155,800 is financially eligible for legal aid under the Ordinary Legal Aid Scheme. The corresponding limit for the Supplementary Scheme is \$432,900. The two limits are specified in the Legal Aid Ordinance. Our policy is to review the limits annually to take into account movements in consumer prices, so as to maintain the real value of the limits.

3. The limits were last adjusted downward by 8.2% in July 2004, to reflect the accumulated changes in the Consumer Price Index (C) recorded during the reference periods of the three annual reviews in 2001 to 2003. Having consulted the Legal Aid Services Council and the LegCo Panel on Administration of Justice and Legal Services pursuant to the 2004 review, the Administration decided to reserve the small increase of 0.4% in the consumer price index recorded during the reference period of the review, covering July 2003 to July 2004. In deciding to reserve the 0.4% increase, we undertook to consider the increase together with the outcome of the 2005 review.

4. We have now completed the 2005 review. The increase in the consumer price index from July 2004 to July 2005 is 1.3%. The accumulated increase during July 2003 to July 2005 is 1.6%. We accordingly propose the Resolution to adjust upward the limit for the Ordinary Legal Aid Scheme from \$155,800 to \$158,300, and that for the Supplementary Scheme from \$432,900 to \$439,800, in accordance with the cumulative increase in consumer prices of 1.6%.

5. I invite Members to support the Resolution.
